



राजपत्र, हिमाचल प्रदेश

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

खण्ड 20]

शिमला, शनिवार, 5 फरवरी, 1972/16 माघ, 1893

[संख्या 6]

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5 फरवरी, 1972/16 माघ, 1893 को समाप्त होने वाले सप्ताह में निम्नलिखित विज्ञप्तियां 'असाधारण राजपत्र, हिमाचल प्रदेश' में प्रकाशित हुईं—

विज्ञप्ति की संख्या	विभाग का नाम	विषय
No. 1-16/70-LSG, dated the 24th January, 1972.	Local Self Government Department	Appointment of certain Presidents of the Municipal Committees/Notified Area Committees as the competent authority under the Punjab Slum Areas (Improvement and Clearance) Act, 1961.
No. 22-3/69-Tpt (I), dated the 24th January, 1972.	Transport Department	Revising the fare rates of stage carriages on Nogli-Nirmand route.
No. 22-3/69-Tpt, (II), dated the 24th January, 1972.	-do-	Revising the fare rates of stage carriages on Manali-Rehla and Nogli-Nirmand routes.
No. 3-59/71-Elec (III); dated the 1st February, 1972.	Election Department	Calling upon Assembly Constituencies to elect members to the Legislative Assembly of the State.
No. 3-59/71-Elec. I-II, dated the 1st February, 1972.	-do-	Publication of the Election Commission's notification No. 464/HP-LA/72, dated the 1st February, 1972.
No. 3-59/71-Elec. III, dated the 1st February 1972.	-do-	Publication of the Election Commission's notification No. 464/HP-LA/72 (I) dated the 1st February, 1972.
No. 3-14/71-Elec, dated the 29th January, 1972.	-do-	Conferring the powers under sections 160, 162, 163, 164 and 165 of the Representation of the People Act, 1951, on certain officers.
No. SML 5-4/71-Elec, dated the 1st February, 1972.	Office of the Deputy Commissioner Smla.	Appointing Shri Triakur Datt Sharma as President of Municipal Committee, N. Lazari.
No. 14-14/71-E&T, dated the 31st January, 1972.	Excise and Taxation Department	Establishing Excise Out Posts at certain places.
No. 3-62/71-Elec, dated the 3rd February, 1972.	Election Department	Re-publication of the Election Commission's notification No. 56/72-I, dated the 1st February, 1972.

**भाग 1—बंधनिक नियमों को छोड़ कर हिमाचल प्रदेश के राज्यपाल और हिमाचल प्रदेश
हाई कोर्ट द्वारा अधिसूचनाएं इत्यादि**

हिमाचल प्रदेश सरकार

**PERSONNEL (A) DEPARTMENT
NOTIFICATIONS**

Simla-2, the 11th January, 1972

No. 3-26/66-Appnt.—On attaining the age of 58 years, Shri Naubat Rai, Member of the Himachal Pradesh Police Service, presently on deputation to the Delhi Administration, Delhi, shall retire from Government service with effect from the afternoon of the 17th February, 1972.

Simla-2, the 18th January, 1972

No. 1-18/71-Appnt.—The Governor, Himachal Pradesh is pleased to appoint Shri M. D. Mangain, a Select List Officer of the Himachal Pradesh Administrative Service, as State Editor (District Gazetteers), Himachal Pradesh, in the scale of Rs. 400-30-550/40-750/50-1250, with effect from May 5, 1971, against the ex-cadre post created vide this Government letter of even number, dated the 5th November, 1971.

K. N. CHANNA,
Chief Secretary.

Simla-2, the 21st January, 1972

No. 1-9/71-Appnt. (DP).—The Governor, Himachal Pradesh is pleased to order the following postings and transfers, with immediate effect in the public interest:—

- (1) Shri S. S. Negi, HAS, Compensation Officer, Bilaspur is transferred and posted as Land Acquisition Officer, Mandi vice Shri Hazara Singh;
- (2) Shri Hazara Singh, Select List Officer, Land Acquisition Officer, Mandi is transferred and posted as Land Acquisition Officer, Kangra (vacant post);
- (3) Shri B. N. Raina, Superintendent, Himachal Pradesh Government Transport who has been approved for officiating appointment, is appointed to officiate as Compensation Officer, Bilaspur vice Shri S. S. Negi;
- (4) Shri R. L. Mehta, Select List Officer, General Assistant-I, Mandi is transferred and posted as Sub-Divisional Officer (Civil)/S.D.M., Kandaghat (vacant post);
- (5) Shri A. S. Jaswal, District Agriculture Officer, Bilaspur who has been approved for officiating appointment, is appointed to officiate as General Assistant to Deputy Commissioner, Mahasu (vacant post);
- (6) Shri Pratpal Singh, Select List Officer, Administrative Officer, Medical College, Simla is transferred and posted as Special Officer (Colonisation), Himachal Pradesh (vacant post).

2. The transfer orders of Shri R. L. Mehta, Select List Officer, General Assistant-I, Mandi as General Assistant to Deputy Commissioner, Mahasu issued vide this Department's notification of even number, dated the 8th January, 1972, hereby cancelled.

Simla-2, the 21st January, 1972

No. 1-20/62-Appnt.—The Governor, Himachal Pradesh, is pleased to order that Shri B. L. Budhiraja, a Select List Officer of H.P.A.S. presently posted as Deputy Director of Panchayats, Himachal Pradesh, shall retire from Government service on attaining the age of superannuation with effect from the afternoon of 5th February, 1972.

S. S. SIDHU
Joint Secretary.

**EDUCATION DEPARTMENT
NOTIFICATION**

Simla-2, the 17th January, 1972

No. 3-16/70-Secy. Edu.—The Governor, Himachal Pradesh is pleased to order that both the Chief Engineers (I and II) of the Himachal Pradesh Public Works Department will be the official members of the Committee, constituted vide this Department notification No. 3-16/70-Secy. Edu., dated the 8th/13th September, 1971.

CORRIGENDUM

Simla-2, the 17th January, 1972

No. 3-16/70-Secy. Edu.—Please substitute "Shri Karam Singh, Revenue Minister" for "Shri Ram Lal, Education Minister" appearing at Serial No. 1 of this Department notification of even number, dated the 8th/13th September, 1971.

By order,
PRAKASH CHAND,
Secretary.

**GENERAL ADMINISTRATION (A) DEPARTMENT
OFFICE ORDER**

Simla-2, the 19th January, 1972

No. 16-17/71-GA-A.—It has been decided that 25th January, 1972 (Tuesday), corresponding to Magha 5, 1893 (Saka Era), will be observed as a public holiday on account of celebration of 1st Anniversary of the Inauguration of State of Himachal Pradesh, in the public offices under the Himachal Pradesh Government, throughout the Pradesh.

2. It will also be a paid holiday in the Industrial establishments and daily-rate employees and a holiday under section 25 of the Negotiable Instruments Act, 1881.

K. N. CHANNA,
Chief Secretary.

**HORTICULTURE DEPARTMENT
NOTIFICATION**

Simla-2, the 13th January, 1972

No. 42-1/71-Hort.-Sectt.—Whereas it appears to the Governor, Himachal Pradesh that land is likely to be required to be taken by the Himachal Pradesh Government at the public expenses for public purpose, namely for the construction of buildings for Horticultural Complex at Rajgarh, Tehsil Pachhad, District Sirmur, Himachal Pradesh it is hereby notified that land in the locality described below is likely to be acquired for the

above purpose.

This notification is made under the provision of section 4 of Land Acquisition Act, 1894 to all whom it may concern.

In exercise of the powers conferred by the aforesaid section, the Governor, Himachal Pradesh is pleased to authorise the officers for the time being engaged in the undertaking with their servants and workmen to enter upon and survey any land in the locality and, do all other acts required or permitted by that section.

Any person interested, who has any objection to the acquisition of the said land in the locality may, within thirty days of the publication of this notification, file an objection in writing before the Land Acquisition Collector, Sirmur district, Nahan, Himachal Pradesh.

SPECIFICATION

District: SIRMUR Tehsil: PACHHAD

Village	Khasra No.	Area	
1	2	Big.	Bis.
3	4		
RAJGARH	552/374/226/3	14	9

By order,
K. C. PANDEYA,
Secretary.

HEALTH AND FAMILY PLANNING DEPARTMENT NOTIFICATIONS

Simla-2, the 15th January, 1972

No. 3-26/66-Med.—In order to ensure uniformity in the designations of posts carrying similar pay scales and duties, the Governor, Himachal Pradesh is pleased to redesignate the posts of District Medical Officer, sanctions for old areas of this Pradesh, as Chief Medical Officers with immediate effect.

2. This issues with the concurrence of Finance Department obtained vide their U. O. No. 1748, dated the 31st December, 1971.

S. L. TALWAR,
Under Secretary.

Simla-2, the 15th January, 1972

No. 1-56/71-H.FP. (2).—Dr. Ghansham Dass Mehta, Civil Assistant Surgeon Grade I who is getting medico-legal training at District Hospital, Dharamsala is hereby transferred and posted at Primary Health Centre, Amlehar with immediate effect in the public interest.

C. M. CHATURVEDI,
Secretary.

Simla-2, the 19th January, 1972

No. 1-4/72-H&FP.—The Governor, Himachal Pradesh is pleased to appoint Dr. Palas Ram as Dental Surgeon in the scale of Rs. 350-25-500-30-590/30-830-35-900 on ad hoc basis for a period of one year from 15th November, 1971 (forenoon) or till the post is filled up on regular basis, whichever is earlier.

S. L. TALWAR,
Under Secretary.

INDUSTRIES DEPARTMENT

NOTIFICATIONS

Simla, the 11th/13th January, 1972

No. 4-19/71-SI (MIDC).—In exercise of the powers conferred on him vide Article 82 of the articles of Association of Himachal Pradesh Mineral and Industrial Development Corporation Ltd., the Governor of Himachal Pradesh is pleased to re-appoint and appoint the following as Chairman and Directors of Himachal Pradesh Mineral and Industrial Development Corporation Ltd., with effect from 21st September, 1971, the date on which the present Board of Directors retired:—

1. Shri K. N. Channa, Chief Secretary to the Government of Himachal Pradesh. *Chairman-Director.*
2. Shri P. K. Mattoo, Secretary (Industries) to Government of Himachal Pradesh. *Director.*
3. Shri M. M. Srivastava, Secretary (Finance) to Government of Himachal Pradesh. *Director.*
4. Shri K. Raja Ram, Deputy Secretary to the Government of India, Ministry of Industrial Development and Company Affairs. *Director.*
5. Shri S. K. Chauhan, Director of Industries, Himachal Pradesh. *Director.*
6. Shri Gobind Sahai, Managing Director, Himachal Pradesh Financial Corporation. *Director.*
7. Shri R. C. Sharma, Managing Director, Himachal Pradesh Mineral and Industrial Development Corporation. *Managing-Director.*

The remuneration of the abovementioned Directors, if any, will be fixed and notified subsequently.

Simla-2, the 24th January, 1972

No. 2-91/69-SI-Vol. II.—In exercise of the powers conferred by para 27-A of the Employees' Provident Fund Scheme, 1952, read with section 17(2) of the Employees Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), the Governor of Himachal Pradesh is pleased to grant exemption to all the regular employees of the Central Research Institute, Kasauli, as a class who are entitled to the benefits of General Provident Fund, Pension-cum-Gratuity Rules of the Central Government from the operation of all the provisions of the Employees' Provident Funds Schemes, 1952, with effect from 1st October, 1956 subject to the following conditions:—

1. The employer shall in respect of such class of employees, maintain such accounts, submit such returns, make such investments provide such facilities for inspection, pay such inspection charges as the Central Government may direct;
2. The employer shall not, at any time after the grant of exemption, without the leave of the State Government reduce the total quantum of benefits in the nature of provident fund, pension and gratuity to which such class of pensions were entitled at the time of exemption.

By order,
P. K. MATTOO,
Secretary.

MULTIPURPOSE PROJECTS AND POWER
DEPARTMENT

NOTIFICATION

Simla-2, the 13th January, 1972

No. 2-21/71-MPP (Sectt.). Whereas it appears to the Governor, Himachal Pradesh that the land is required to be taken by the Government at public expense for a public purpose, namely for construction of Khala-Kayon-Jateon Road, it is hereby declared that the land described in the specification below is required for the above purpose.

2. This declaration is made under the provisions of section 6 of the Land Acquisition Act, 1894, to all whom it may concern and under the provisions of section 7 of the said Act, the Collector, Land Acquisition, Himachal Pradesh Public Works Department is hereby directed to take order for the acquisition of the said land.

3. A plan of the land may be inspected in the office of the Collector, Land Acquisition, Himachal Pradesh Public Works Department, Solan.

SPECIFICATION

District: SIRMUR

Tehsil: RENUKA

Village 1	Khasra No. 2	Area	
		Big.	Bis.
DHARTARAN PAT- TIARAN.	692/1	0	3
Total	..	0	3

By order,

I. HMINGLIANA TOCHHAWNG,
Secretary.

PUBLIC WORKS DEPARTMENT

NOTIFICATIONS

Simla-2, the 13th January, 1972

No. 2-38/70-PWD. Whereas it appears to the Governor, Himachal Pradesh that land is likely to be required to be taken by the Himachal Pradesh Government at the public expense for a public purpose*, it is hereby notified that land in the locality described below is likely to be acquired for the said purpose.

This notification is made under the provisions of section 4 of the Land Acquisition Act, 1894 to all whom it may concern.

In exercise of the powers conferred by the aforesaid section, the Governor, Himachal Pradesh is pleased to authorise the officers for the time being engaged in the undertaking with their servant and workmen to enter upon and survey any land in the locality and do all other acts required or permitted by that section.

Any person interested, who has any objection to the acquisition of the said land in the locality may, within thirty days of the publication of this notification, file

an objection in writing before the Collector of Land Acquisition Officer, Chamba.

*Mredi-Silla Road
SPECIFICATION

District: CHAMBA

Tehsil: CHAMBA

Village 1	Khasra No. 2	Area		
		Big.	Bis.	Bisw.
SUNGAL (235) (SUNGAL)	763/1	0	3	0
	763/2	0	1	0
	765/1	0	3	0
	767/1	0	13	0
	782/1	0	16	0
	782/2	0	0	6
	947/1	1	13	0
	956/1	0	13	0
Total		4	2	6
BAROR 234 (BAROR)	157/1	0	2	0
	364/1	0	0	6
	376/1	0	2	0
	379/1	0	0	5
	382/1	0	2	0
	384/1	0	16	0
	456/1	0	8	0
	469/1	1	6	0
	461/1	0	2	0
	461/2	0	1	0
	571/1	0	0	5
	575/1	0	8	0
	576/1	0	0	6
	579/1	1	18	0
	613/1	0	11	0
	614/1	0	10	0
Total		6	7	2

*Construction of Kiani-Bagori-Shakti Dehra Road

SPECIFICATION

District: CHAMBA

Tehsil: CHAMBA

Village 1	Khasra No. 2	Area	
		Big.	Eis.
KIANI (286)	1761/1	0	2
	1762/1	0	13
	1763/1	0	2
	2629/1767/1	0	5
	2630/1767/1	0	2
	1812/1	0	1
	1815/1	0	5
	1816/1	0	3
	1825/1	0	1
	1826/1	0	1
	1828/1	0	5
	1832/1	0	3
	1833/1	0	1
	1834/1	0	1
	1837/1	0	1
	1841/1	0	8
	1847/1	0	2
	1848/1	0	1
	1857/1	0	3
	1864/1	0	2
	1865/1	0	3

1	2	3	4
	1882/1	0	2
	Total ..	3	7
SIRH (277)	302/1	0	5
	303/1	0	3
	309	0	1
	310/1	0	2
	312	0	1
	659/333/1	1	10
	659/333/2	0	3
	660/333/1	0	10
	343/1	0	3
	343/1/1	0	16
	Total ..	3	14
NIHUIN (275)	1609	0	4
	1612	0	9
	1613/1	1	1
	1614/1	0	5
	1620/1	0	4
	1621/1	0	1
	1704	0	8
	1705	0	4
	1716/1	0	1
	1721/1	0	3
	1724/1	0	4
	1725/1	0	13
	Total ..	3	17
	Grand Total ..	10	18

Simla-2, the 13th January, 1972

No. 2-39/70-PWD.—Whereas it appears to the Governor, Himachal Pradesh that the land is likely to be acquired to be taken by the Government at public expense for a public purpose, namely for construction of Public Works Department colony at Una village Arniala, Tehsil Una, District Kangra, it is hereby notified that the land in locality described below is likely to be acquired for the above purpose.

This notification is made under the provision of section 4 of the Land Acquisition Act, 1894 to all whom it may concern.

In exercise of the powers conferred by the aforesaid section, the Governor, Himachal Pradesh is pleased to authorise the officers for the time being engaged in the undertaking with their servants and workmen to enter upon and survey any land in the locality and do all other Acts, required or permitted by that section.

Any person interested, who has any objection to the acquisition of any land in the locality may, within 20 days of the publication of this notification, file an objection in writing before the Land Acquisition Collector, Himachal Pradesh Public Works Department.

SPECIFICATION

District: KANGRA Tehsil: UNA

Village	Area in acres
ARNIALA	10.40

By order,
Sd/-
Secretary.

Simla-2, the 14th January, 1972

No. 1-209/69-PWD.—In pursuance of the stay order issued by the Hon'ble High Court of Himachal Pradesh on 3rd November, 1971, regarding retirement of Shri R. C. Yadav, Assistant Engineer, Investigation Sub-Division, Himachal Pradesh, Public Works Department, Dhalli, with effect from 15th December, 1971, the operation of this Department notification of even number, dated 15th October, 1971 was stayed vide this Department notification of even number, dated the 14th December, 1971.

Now, the Hon'ble Court of Himachal Pradesh has vacated the stay order granted on the 3rd November, 1971, the Governor, Himachal Pradesh is therefore pleased to retire Shri R. C. Yadav, Assistant Engineer, Investigation Sub-Division, Himachal Pradesh Public Works Department, Dhalli with effect from the forenoon of 15th January, 1972.

B. D. SHAUNAK,
Under Secretary.

REVENUE DEPARTMENT NOTIFICATIONS

Simla-2, the 14th January, 1972

No. 6-5/71-(Rev. I).—In exercise of the powers conferred by sections 2(a) (i) and (1) (a) of the East Punjab War Awards Act, 1948 as amended up-to-date read with the Government of India, Ministry of Home Affairs notification No. S.O. 8870, dated the 1st November, 1966, the Governor, Himachal Pradesh is pleased to make grant of war jagirs of the annual value of Rs. 100 each (Rupees one hundred) only in favour of the under-mentioned persons as award for war services rendered by their respective son/sons subject to such conditions as to its enjoyment as are contained in their respective sanads of the Jagir granted to them in this behalf:—

Sl. No.	No. of sons in Armed Forces	Name/Far-entage of the grantee	Particulars of residence	Annual amount of war jagir effective.
1	2	3	4	5
1.	One	Shri Ranu Ram s/o Shri Dewan Chand	Village Kaliara Tehsil and District Kangra.	Rs. 100 P.A. (Kharif, 1965).
2.	One	Shri Thinu Ram s/o Shri Rama.	Village Na-tehar, Tehsil and District Kangra.	Rs. 100 P.A. (Rabi, 1966).
3.	One	Shri Jaishi Ram s/o Shri Nanku Ram.	Village Rait Tehsil and District Kangra.	Rs. 100 P.A. (Rabi, 1966).
4.	One	Shri Chuni Lal s/o Shri Parma Nand.	Village Na-ganpat, Tehsil and District Kangra.	Rs. 100 P.A. (Rabi, 1966).
5.	One	Shrimati Chhunko Devi wd/o Shri Khazana Ram.	Village Chandrot, Tehsil and District Kangra.	Rs. 100 P.A. (Kharif, 1965).

1	2	3	4	5
6.	One	Shri Ram	Sita Village s/o Ramehar, Tehsil and District Kangra.	Rs. 100 P.A. (Kharif, 1965).
7.	One	Shri Ram	Baxi Village s/o Kaliara, Tehsil and District Kangra.	Rs. 100 P.A. (Kharif, 1965).
8.	One	Shrimati Rukmani Devi	Par-Dhanotu, Tehsil and District Kangra.	Rs. 100 P.A. (Kharif, 1965).
9.	One	Shrimati Gatri	Devi Village Lanjani, Tehsil and District Kangra.	Rs. 100 P.A. (Kharif, 1965).
10.	One	Shri Ram	Dhani Village s/o Sarah, Tehsil and District Kangra.	Rs. 100 P.A. (Kharif, 1965).

Sd/-
Under Secretary.

Simla-2, the 14 th January, 1972

No. 2-13/71-Rev. I.—In exercise of the powers vested in him under section 3 (c) of the Land Acquisition Act, 1894 and all other powers enabling him in this behalf, the Governor, Himachal Pradesh is pleased to confer on Shri Nand Lal Kaushal, Sub-Divisional Officer (Civil), Kulu, District Kulu, all the powers of a Collector under the said act to be exercised by him within the local limits of Kulu Sub-Division of District Kulu, from the date he took over the charge of the post.

CORRIGENDUM

Simla-2, the 14th January, 1972

No. 2-40/67-Rev. I. In this Department notification of even number dated the 4th November, 1971, the word "Bilaspur" be inserted after the word "Simla" in ninth line of the said notification.

By order,
V. K. AGNIHOTRI,
Deputy Secretary.

Simla-2, the 17th January, 1972

No. 10-4/71-Rev. C.II.—Whereas the Himachal Pradesh Government vide notification No. 13-2/68-Rev. I, dated the 10th May, 1971, have framed the Resettlement and Rehabilitation of Bhakra Dam Outsees (Grant of Land) Scheme, 1971 under rule 8-A of Himachal Pradesh Nautor Land Rules, 1968.

And whereas the Government have decided to make amendments in the said scheme.

Now, therefore, under rule 8-A of said rule the Himachal Pradesh Government is pleased to make the following amendments in the said scheme:—

1. In sub-para (2) of para 1 the words "and land acquisition proceedings taken for construction of New Bilaspur Township" shall be inserted after the words 'Bhakra Dam Project'.
2. In para 3 the words "and for the construction of New Bilaspur Township" shall be inserted after the word 'Dam'.
3. In sub-para (2) of para 4 the words "and of the villages in which acquisition has been made for the construction of New Bilaspur Township" shall be inserted after the words and figures 'R.L. 1280'.
4. Against clause (ii) of sub-para (1) of para 4 the words "including the oustees of villages Kherian and Koserian" shall be added after the words "other oustees".
5. Para 13 shall be re-numbered as para (i) and thereafter the following sub-para shall be added:—
"(ii) provided further that land in exchange may be allotted to those outsees who were allotted land previously but subsequently washed away due to rains during 1971".

Simla-2, the 17th January, 1972

No. 4-40/70-Rev. II.—Whereas it appears to the Governor, Himachal Pradesh that the additional land is required by the Government at public expense for a public purpose, namely for the land to be acquired for the proposed Railway line from Jawali Railway Station to Guler Railway Station in Tikka Dehri, H.B. No. 73/3 of village Harsar, Tehsil Nurpur, District Kangra, it is hereby declared that the land described in the specification below is required for the above purpose.

This declaration is made under the provisions of section 6 of the Land Acquisition Act, 1894 to all which it may concern and under the provision of section 7 of the said Act, the Land Acquisition Collector, Beas Project, Talwara, Township is hereby directed to take order to the acquisition of the said land.

Plans of the land may be inspected in the offices of the Land Acquisition Collector, Beas Project, Talwara Township and Executive Engineer, Inspection Division No. III, Talwara Township.

SPECIFICATION

District: KANGRA

Tehsil: NURPUR

Village	Khasra No.	Area
1	2	K. M. 3 4
H. B. No. 73/3		
TIKKA DEHRI	6 min	0 5
OF VILLAGE	7 min	0 7
HARSAR	8 min	1 8
	9 min	0 1
	10 min	0 1
	29 min	1 3
	269	1 0
	270	0 17
	271	1 1
	272	6 3
	273	5 2
	274 min	4 19
	299 min	0 3
	300 min	5 11
	301 min	3 10
	302 min	2 8
	303 min	0 15
	304 min	less than
		marla.

1	2	3	4	1	2	3	4
	306 min	7	18		385 min	2	16
	307 min	1	11		594/386 min	0	19
	308 min	0	1		595/386 min	0	8
	310 min	0	12		596/386 min	0	19
	311 min	1	18		597/386 min	0	2
	312 min	2	15		394 min	0	11
	313 min	0	1		395 min	0	11
	316 min	0	8		396 min	10	16
	363 min	1	3				
	364 min	4	12				
	368 min	1	3				
	373 min	Less than			Total	86	17
		marla.					8.24 Acres
	378 min	-do-					or
	379 min	0	8				Kutchia Big. Bis.
	380 min	5	3				39 11
	381	0	18				
	382 min	0	16				
	383 min	5	12				

By order,
L. HMINGLIANA TOCHHAWNG,
Secretary.

भाग 2—बैधानिक नियमों को छोड़ कर विभिन्न विभागों के अध्यक्षों और जिला मैजिस्ट्रेटों द्वारा अधिसूचनाएं इत्यादि

INDUSTRIES DEPARTMENT

FORM 'H'

DECLARATION UNDER SECTION 24 OF THE ACT Bilaspur, the 23rd December, 1971

No. BIp./ADIO/N/71-72.—Whereas a notice was served on Shri Nika Ram, Secretary, the Leather Industries Co-operative Society, Dabla, Tehsil and District Bilaspur, on the 4th January, 1970 under section 23 of the Punjab State Aid to Industries Himachal Pradesh Amendment Act, 1964, calling upon the said Shri Nika Ram to pay to me the sum of Rs. 507 on or before the 31st January, 1970 and whereas the said sum has not been paid I hereby declare the sum of Rs. 447 as principal and interest Rs. 60 upto 7th April, 1970 and further interest will be charged till the date of payment is due from the said Shri Nika Ram, Secretary, Leather Industry Co-operation Society, Dabla and the property described in the attached schedule is liable for the satisfaction of the said debt.

SCHEDULE

M. C. L. of Society.

SURETIES

All members including Secy. i. e.

1. Shri Gardittu
2. Shri Faunu Ram
3. Shri Garibu
4. Shri Nika Ram Secretary.

Sd/-

Assistant District Industries Officer,
Bilaspur.

FORM 'H'

DECLARATION UNDER SECTION 24 OF THE ACT Bilaspur, the 23rd December, 1971

No. BIp./ADIO/71-72.—Whereas a notice was served on Shri Nanku Ram s/o Shri Nandu, r/o Behl Kendela, Tehsil Sadar, District Bilaspur, on the

1st August, 1970 under section 23 of the Punjab State Aid to Industries Himachal Pradesh Amendment Act, 1964, calling upon the said Shri Nanku Ram to pay to me the sum of Rs. 3 428.57 on or before the 31st August, 1970 and whereas the said sum has not been paid I hereby declare the sum of Rs. 2,857.14 as principal and interest Rs. 191.50 upto 8th February, 1972 and further interest will be charged till the date of payment is due from the said Shri Nanku Ram and the property described in the attached schedule is liable for the satisfaction of the said debt.

SCHEDULE

House double storeyed consisting of eight rooms standing on Khasra No. 687/682, situated in village Tehri (Behl Kendela), Tehsil Sadar, District Bilaspur, belonging to Shri Nanku.

Sd/-

Assistant District Industries Officer,
Bilaspur H. P.

FORM 'H'

DECLARATION UNDER SECTION 24 OF THE ACT Bilaspur, the 23rd December, 1971

No. BIp./ADIO/71-72.—Whereas a notice was served on Shri Nathu Ram s/o Shri Nank Chand, Village Sakroha, P.O. Namhol, Tehsil Sadar, District Bilaspur, on the 1st May, 1971 under section 23 of the Punjab State Aid to Industries, Himachal Pradesh Amendment Act, 1964, calling upon the said Shri Nathu Ram to pay to me the sum of Rs. 4,137.50 on or before the 31st May, 1971 and whereas the said sum has not been paid, I hereby declare the sum of Rs. 3,750 as principal and interest Rs. 387.50 upto 28th March, 1971 and further interest will be charged till the date of payment is due from the said Shri Nathu Ram and the property described in the attached schedule is liable for the satisfaction of the said debt.

SCHEDULE

House double storeyed consisting of twenty rooms standing on the land comprising Khasra No. 622/546,

situated in village Namhol, Tehsil Sadar, District Bilaspur.

SURETY

Land comprised in Khasra No. 622/546, situated in village Namhol, District Bilaspur, measuring 11 biswas.

Sd/-

Assistant District Industries Officer,
Bilaspur, H. P.

FORM 'H'

DECLARATION UNDER SECTION 24 OF THE ACT Bilaspur, the 23rd December, 1971

No. BIp. ADIO/N 71-72.—Whereas a notice was served on Shri Babu Ram s/o Shri Ram Lal, village Ropa, P. O. Ropa, Tehsil Sadar, District Bilaspur, on the 23rd July, 1971 under section 23 of the Punjab State Aid to Industries Himachal Pradesh Amendment Act, 1964, calling upon the said Shri Babu Ram to pay to me the sum of Rs. 3,000 on or before the 31st July, 1971 and whereas the said sum has not been paid I hereby declare the sum of Rs. 3,000 as principal and interest Rs. 195 up to 2nd July, 1972 and further interest will be charged till the date of payment is due from the said Shri Babu Ram and the property described in the attached schedule is liable for the satisfaction of the said debt.

SCHEDULE

1/3rd share of land comprising of Khata Khatauni No. 1124 to 26 total Khasra Nos. 29, measuring 6 Bighas, situated in village Bagaon, P. O. Panjgani, Tehsil Sadar, District Bilaspur, belonging to Shri Lal Lal s/o Shri Narainu, village Ropa, P. O. Panjgani Tehsil Sadar, District Bilaspur.

SURETY

Shri Ram Lal s/o Shri Narainu, village Ropa, P. O. Panjgani, Tehsil Sadar, District Bilaspur.

Sd/-

Assistant District Industries Officer,
Bilaspur, H. P.

FORM 'H'

DECLARATION UNDER SECTION 24 OF THE ACT Bilaspur, the 23rd December, 1971

No. BIp. ADIO/N/71-72.—Whereas a notice was served on Shri Tulsi Ram Sohal, P. No. 53, Roura Sector, Bilaspur, Himachal Pradesh, on the 22nd October, 1969 under section 23 of the Punjab State Aid to Industries, Himachal Pradesh Amendment Act, 1964, calling upon the said Shri Tulsi Ram to pay to me the sum of Rs. 1,393.33 on or before the 31st October, 1970 and whereas the said sum has not been paid, I hereby declare the sum of Rs. 1,000 as principal and interest Rs. 45 upto 19th March, 1971 and further interest will be charged till the date of payment is due from the said Shri Tulsi Ram and the property described in the attached schedule is liable for the satisfaction of the said debt.

SCHEDULE

Land comprised in Khasra No. 1175/1, 1176/3, 1178/2, 1165/2, 1167/2, 1164/1, situated at village Behna Jantan P. O. Damli, Tehsil Ghumarwin, measuring 16 Bighas 3 Biswas costing Rs. 3,461.58 only belonging to Shri Kali Dass Surety.

SURETIES

1. Shri Kali Dass s/o Late Shri Narainu, r/o village Behna Jantan, P. O. Damli, Tehsil Ghumarwin, District Bilaspur. He is requested to please get the loan amount released from loanee failing which the same will be recovered from him as arrear of land revenue being surety of the loanee.

Sd/-

Assistant District Industries Officer,
Bilaspur.

PUBLIC WORKS DEPARTMENT

NOTIFICATION

Solan, the 10th January, 1972

No. SE-III-G-R-61-6/70-71-1264-69.—Whereas it appears to the Governor, Himachal Pradesh that the land is required to be taken by the Government at public expense for a public purpose, namely for construction of Ragjarh-Bagthan-Banethi Road, it is hereby declared that the land described in the specification below is required for the above purpose.

The declaration is made under the provisions of section 6 of the Land Acquisition Act, 1894 to a land which it may concern and under the provisions of section 7 of the said Act, the Collector, Land Acquisition, Himachal Pradesh Public Works Department is hereby directed to take order for the acquisition of the said land.

A plan of the land may be inspected in the Office of the Collector, Land Acquisition, Himachal Pradesh Public Works Department, Solan.

SPECIFICATION

District: SIRMUR

Tehsil: RENUKA

Village	Khasra No.	Area Big. Bis.
MEHANDI PATARG	60/1	0 5
	56/1	0 8
	59/1	0 1
	13/1	0 6
	17/1	0 15
	49/1	0 17
	51	0 4
	52	0 1
	35/1	0 16
	42/1	1 7
	20	1 16
	15/1	0 3
	61/1	0 5
	18/1	1 12
	53	0 9
	45/1	0 7
	36/1	0 12
	54/1	0 2
	44/1	0 2
	181/1	8 6
	43/1	0 5
	43/2	0 4
	50	0 4
	Total	19 7

S. P. KAPOVR,

Superintending Engineer,
III Circle, H.P., P.W.D. Simla,

OFFICE OF THE DEPUTY COMMISSIONER
SIRMUR

OFFICE ORDER

Nahan, the 20th January, 1972

No. 396/HC-DC/72.—In pursuance of the Himachal Pradesh Government notification No. 16-17/71-GA-A., dated the 26th November, 1971, the following local holidays are declared to be observed in the subordinate attached offices in Sirmur district, during the calendar year, 1972 at the District, Tehsil, Sub-Tehsil headquarters on account of important fairs and festivals:—

Name of Tel.sil	Name of fair	Date	No. of days
For whole of the district.	Rainka fair	17-11-72	1
Paonta Tehsil	Hola fair	1-3-72	1
Nahan Tehsil	Trilokpur fair	28-3-72	1
Pachhad Tehsil	Bawan Dwadshi fair.	20-9-72	1
Rainka Tehsil	Rainka fair	16-11-72	1

Sd/-

Deputy Commissioner.

भाग 3—प्रधिनियम, विधेयक और विधेयकों पर प्रवर समिति के प्रतिवेदन, वैधानिक नियम तथा हिमाचल प्रदेश के राज्यपाल, हिमाचल प्रदेश हाई कोर्ट, फाइनेंशियल कमिशनर तथा कमिशनर ग्राफ

इन्कम-टैक्स द्वारा अधिसूचित आदेश इत्यादि

REGISTRATION DEPARTMENT
NOTIFICATION

Simla-4, the 19th January, 1972

No. 8-5-Reg./67.—In exercise of the powers conferred by clause (bb). of sub-section (1) of section 69 of the Indian Registration Act, 1908 (Act No. XVI of 1908) the Inspector General of Registration, Himachal Pradesh with the previous approval of the Government of Himachal Pradesh hereby makes the following rules for carrying out the purposes of the said Act, namely:—

RULES

1. Short title, application and commencement.—(1) These rules may be called the Himachal Pradesh Document Writers Licensing Rules, 1971.

(2) Nothing in these rules shall apply to the legal practitioners.

(3) They shall come into force at once.

2. Definitions.—In these rules, unless the subject or context otherwise requires—

(a) 'Act' means the Indian Registration Act, 1908;

(b) "document" means a document written for presentation to a Registering Officer and includes an application for copy, inspection, search, extension of period and issue of summons or warrants, and an application under section 73 of a memorandum of appeal under section 72 of the Act;

(c) "document-writer" means a person holding a licence for practising as a writer of documents for hire;

(d) "Form" means a form appended to these rules;

(e) "Inspector General of Registration" means the Inspector General of Registration Himachal Pradesh;

(f) "Licence" means a licence granted under these rules;

(g) "Licensing Authority" means the Registrar of the Registration District in which the applicant desires to practise as a document-writer; and

(h) "Registering Officer" means a Registrar or a Sub-Registrar appointed under the Act.

3. Persons by whom documents may be written.—(1) After a month of the publication of these rules in the Official Gazette no person shall practise as a document-writer except under licence granted by the Licensing Authority.

(2) No Registering Officer shall accept any document

for registration which is not written by a licensed document-writer or the executant himself.

4. Eligibility for licence.—No person shall be eligible for being licensed as a document-writer or, if licensed, to continue as a document-writer if such person—

(a) is less than 18 years of age; or

(b) is in the employment of Government or Local Authority or any other person; or

(c) is of unsound mind; or

(d) is an undischarged insolvent; or

(e) has been dismissed from the service of Government or any Local Authority; or

(f) has been convicted of any offence involving moral turpitude; or

(g) he is not a bonafide resident of Himachal Pradesh.

5. Academic qualifications for obtaining licence.—No person shall be licensed under these rules unless he has passed Matriculation or Higher Secondary Examination or any other examination of an equivalent standard and has qualified in the special examination held under rule 6:

Provided that—

(a) the provision of this rule shall not apply to a person who has ordinarily practised as a document-writer on the date of enforcement of these rules;

(b) the Licensing Authority may, in deserving cases of candidates belonging to any backward class or scheduled caste or scheduled tribe, relax the minimum educational qualification prescribed above and allow any such candidate who has passed the Middle School Examination to sit in the special examination referred to in this rule.

6. Special examination.—(1) The number of licences for each registration district and sub-district shall, from time to time be notified by the Inspector General of Registration, who shall hold a special examination for issuing fresh licences, if necessary, keeping in view the requirements of each district and sub-district.

(2) The date of examination shall be notified in the Official Gazette and also in a daily newspaper having wide publicity in the State.

7. Application for taking special examination.—(1) An application for permission to sit in the special examination shall be made to the Licensing Authority and shall contain the following particulars filled in by the applicant in his own hand:—

(a) the applicant's name, father's name, date of birth (according to the British calendar), residence and

present occupation, if any;

(b) the names of the two responsible persons to whom reference may be made as to the applicant's character;

(c) whether the applicant was ever convicted of any offence involving moral turpitude;

(d) the place where the applicant desires to practise as a document-writer;

(e) academic qualification of the applicant.

(2) Every application presented under sub-rule (1) shall be accompanied by—

(a) a treasury challan in proof of a deposit of rupees five as fee;

(b) an attested copy of the Matriculation or Higher Secondary Certificate;

(c) an attested copy of the Character Certificate obtained from a respectable person or from the Head of Institution which the applicant last attended.

(3) The fee shall be deposited in the treasury under Head "XV - Registration Miscellaneous".

8. **Scrutiny of applications.**—(1) On receipt of an application under rule 7, the Licensing Authority may accept the same and send an intimation to the applicant accordingly or may reject it if the applicant is not eligible for obtaining a licence under rule 4 or does not fulfil the academic qualification prescribed rule 5.

(2) The name of each applicant whose application is accepted by the Licensing Authority shall be entered by him in a register maintained for the purpose.

9. **Syllabus for special examination.**—(1) Each candidate whose name is entered in the register referred to in sub-rule (2) of rule 8 shall be examined in the following subjects:

(a) Document-writing ... 100 marks

(b) Legal procedure ... 100 marks

(i) The Indian Registration Act, 1908;

(ii) The Punjab Registration Manual as applied to Himachal Pradesh;

(iii) The Indian Stamp Act, 1899;

(iv) Section 54, 197 and 123 of the Transfer of Property Act, 1882;

(v) The Indian Stamp (Himachal Pradesh Amendment) Act, 1970;

(c) Dictation and Calligraphy. ... 100 marks in Hindi and Urdu.

(2) No candidate shall be deemed to have qualified in the special examination unless he obtained 33% marks in each of the three subjects and 50 per cent marks in aggregate.

(3) The result of the special examination shall be notified in the Official Gazette and shall also be published in one of the daily newspapers having wide publicity in the State.

10. **Preparation of merit lists.**—After the result of the special examination has been published under sub-rule (3) of rule 9, the Inspector General of Registration shall prepare a merit list in respect of each registration district containing the name of candidates of that district who have qualified the special examination and send a copy thereof to the concerned Licensing Authority.

11. **Issue of Licences.**—(1) The Licensing Authority shall, on receipt of the merit list under rule 10 send an intimation to such candidates who are eligible to obtain licence in the order of merit keeping in view the number of document-writers to be licensed for that district and shall require them to deposit a licence fee of rupees five each within a month of the receipt of such intimation.

(2) The licence fee shall be deposited in the treasury under Head "XV Registration" and an intimation regarding such deposit shall be sent to the Licensing

authority immediately after the deposit is made.

(3) If any candidate to whom an intimation is sent under sub-rule (2) fails to deposit the licence fee within the time fixed for that purpose, the Licensing Authority may require the candidate appearing next on the merit list to deposit the licence fee.

(4) Any person who has ordinarily practised as a document-writer on the date of enforcement of these rules, may apply to the Licensing Authority for issue of a licence giving true and correct particulars regarding his age, commencement of practice/continuance as a document-writer, and if he was previously in service, the date of his leaving service and the date of his re-employment, if any, and the date of termination of his re-employment and the Licensing Authority may, on being satisfied that the applicant is eligible for the grant of licence, issue him a licence after the applicant has deposited a licence fee of rupees five.

(5) A licence under these rules shall be issued in Form 'A'.

(6) A duplicate copy of the licence may be issued to a licensee on payment of a fee of rupee one only if the Licensing Authority is satisfied, that the original licence has been lost or damaged.

12. **Validity of licence.**—A licence issued under these rules shall be valid till the 31st December of the year in which the same is issued and shall be renewable on payment of a fee of rupees five by making an application for the same to the Licensing Authority at least fifteen days before the date of the expiry of the licence:

Provided that the Licensing Authority may if satisfied that the licensee was prevented from applying for renewal for sufficient cause, entertain an application for renewal of licence made after the expiry of the prescribed period and renew the same.

13. **Fees for writing documents.**—(1) No document-writer shall charge fees for writing documents in excess of these mentioned below:—

<i>Nature of document.</i>	<i>Scale of Fee.</i>
(i) An application for copy, inspection or search or other simple application.	Fifty paise.
(ii) An application for the issue of process	Fifty paise.
(iii) An application for the extension of period under section 25 or section 34 of the Act or an application under section 73 of the Act.	Rupee one.
(iv) An appeal under section 72 of the Act	Rupee one.
(v) A document in which the value of property or the amount of consideration is specified as:—	
	<i>Original</i> <i>Copy</i>
Re. 1 to Rs. 1,000	Rupees ten Rupee one.
Rs. 1,001 to Rs. 10,000	Rupees four Rupee one.
Rs. 10,001 to Rs. 20,000	Rupees six Rupee one.
Rs. 20,001 to 50,000	Rupees eight Rupee one.
Rs. 50,001 or above	Rupees ten Rupee one.

Note.—The value of the property or the amount of consideration for writing charges shall be the same as for stamp duty.

(vi) A document modifying or amending a previously registered document.

(vii) A special power of attorney

(viii) An agreement

(ix) A counterpart or duplicate drawn up under Article 25 of Schedule I-A of the Indian Stamp Act, 1899.

(x) A consent deed without consideration.

Fifty paise.

- (xi) Will, authority to adopt, adoption-deed, general power of attorney or divorce-deed. Rupees two.
- (xii) A document in which no value or amount of consideration is given though it is capable of being expressed. Rupees two.
- (xiii) A document for which no scale has been prescribed above. Rupee one.

(2) A table indicating the fees prescribed under sub-rule (1) shall be exhibited at a conspicuous place in every registration office. A similar table of fee shall be exhibited conspicuously by each document-writer at the place where he carries on the business of writing documents.

(3) Each document-writer shall maintain a printed receipt book containing foils and counterfoils and shall give a receipt for the amount of fee received by him for writing any document.

14. Condition of licence.—A document writer:—

- (a) shall maintain a register in Form 'B' and shall on demand produce the same for inspection by the Registering Officer;
 - (b) shall provide at his own expenses, with a seal on which shall be engraved in the regional language of the district where he carries on his business, his name and the year in which he was licensed;
 - (c) shall write documents briefly, properly, plainly and legibly;
 - (d) shall sign every document written by him, affix his seal and enter therein the number which it bears in his register and also the fee charges for writing the same;
 - (e) shall not dictate any document or cause a document written by any other person;
 - (f) shall not write or cause to be written by any other document-writer any document which he knows to be unnecessary or fraudulent in nature;
 - (g) shall be responsible to see that the document is written on a stamp paper of proper value and that the document is classified according to its substance;
 - (h) shall not act as a recognised agent or witness in respect of the execution of any document written by him;
 - (i) shall not charge fees in excess of those prescribed in these rules;
 - (j) shall not engage himself in any other trade or business without the previous permission in writing of the Inspector General of Registration;
- Provided that in the case of a petition writer-cum-document-writer such a permission shall be accorded only with the approval of the High Court of Himachal Pradesh;
- (k) shall not change his place for which he holds the licence without the previous permission of the Inspector General of Registration;
 - (l) shall re-write free of charge the document written by him in an incomplete and defective manner and indemnify the party concerned for the loss suffered by it as a result of the document being re-written;
 - (m) shall surrender to the Licensing Authority his licence if it is suspended or cancelled;
 - (n) shall exhibit the table of fees prescribed in rule 13 (1) conspicuously at the place where he carries on the business of writing documents;
 - (o) shall maintain the printed receipt book in Form "C" containing foils and counterfoils and give a receipt for the amount of fee received by him for writing any document;
 - (p) shall furnish to the Licensing Authority or any

officer of the Registration Department truly and correctly whatever information is called for from him.

15. Grant of licence to the Government employees serving in the registration district.—(1) Notwithstanding anything contained in clause (b) of rule 4 or in rules 5, 6, 7, 8, 9, 10 and 11 the Inspector General of Registration may on an application recommended by the local Registrar grant to any Government employee serving in the aforesaid registration district a licence to practise as a document-writer in that district. No fee shall be charged for the grant or renewal of such a licence.

(2) A Government employee to whom a licence is granted under sub-rule (1) shall not charge any remuneration, or fee from any person for writing any document.

(3) A licence issued under sub-rule (1) may be cancelled by the Inspector General of Registration when in his opinion the services of such a document-writer are not required and such a licence shall be deemed to have been cancelled on his quitting Government service or on his transfer from the aforesaid registration district to any other place in the State of Himachal Pradesh.

16. Penalty for breach of conditions of licence.—(1) The Licensing Authority or the Inspector General of Registration, may after giving the document-writer an opportunity of being heard, suspend his licence or cancel the same if he is found to have committed a breach of any of the conditions of his licence.

(2) Without prejudice to the provisions of sub-rule (1) the Licensing Authority or the Inspector General of Registration may, on an application made to it or him in writing get the fee charged by a document-writer in excess of the prescribed scale refunded to the applicant.

(3) Any action taken under sub-rule (1) and sub-rule (2) shall be recorded on the licence by the Licensing Authority.

17. Authority to hear appeals, manner of presentation of appeals and period of limitation.—(1) Any person aggrieved by an order of the Licensing Authority or the Inspector General of Registration, suspending or cancelling the licence under these rules, may within a period of six months from the date on which the order is communicated to him, prefer an appeal to the Divisional Commissioner, Himachal Pradesh. The memorandum of appeal shall be submitted through the authority from whose order the appeal is preferred.

(2) A memorandum of appeal shall be written in a respectful proper language and it shall contain the following particulars:—

- (a) the date of the order appealed against;
- (b) the name and designation of the officer who passed the orders;
- (c) all material statements and arguments relied upon by the appellant.

FORM 'A'

(See rule 11)

FORM OF LICENCE FOR A DOCUMENT-WRITER

In the office of the Registrar.....District....

Certified son of Shri..... resident of..... has this day been licensed

a document-writer, and is hereby permitted to practise as such, in the office of the Sub-Registrar..... subject to the provisions of the Himachal Pradesh Document-writers Licensing Rules, 1971, till the 31st day of December, 19.....

Given under hand and seal of this office.

Registrar of the registration district.

(Seal)

Date of renewal of the Licence.

Renewing Officer.

FORM 'B'

(See rule 14)

REGISTER TO BE MAINTAINED BY A DOCUMENT-WRITER

Sl. No. of document	Date on which document was written	Name and address of executant	Nature and value of document	Brief abstract of the document
1	2	3	4	5

I	Value of Non-Judicial Stamp in which the document was written	Fee charged for writing the document	Signature of the document writer	Signature or thumb marks of the employer	Remarks
T	6	7	8	9	10

FORM 'C'

(See rule 14)

RECEIPT BOOK TO BE MAINTAINED BY A DOCUMENT-WRITER

Sl. No. Dated.....
Received Rs. from Shri.....
as writing charges of the.....
document.

Fee of writing original document Fee of writing duplicate copy Total fee charged

Dated..... Signature of Document-writer.

Sl. No. Dated.....
Received Rs. from Shri.....
as writing charges of the.....
document.

Fee of writing original document Fee of writing duplicate copy Total fee charged

Dated..... Signature of Document-writer.

Sd/-

Inspector General of Registration,
Himachal Pradesh.

TRANSPORT DEPARTMENT

NOTIFICATION

Simla-2, the 13th January, 1972

No. 5-22/69-Tpt. (i).—In exercise of the powers conferred by sections 21-J and 67 of the Motor Vehicles Act, 1939 (Central Act 4 of 1939) the Governor, Himachal Pradesh hereby makes the following amendments to the Punjab Motor Vehicles Rules, 1940, as in force in the areas of Himachal Pradesh as existed before 1st November, 1966, the same having been previously published in Himachal Pradesh Rajpatra as required by sub-section (1) of section 133 of the said Act, with this Department notification of even number, dated the 20th February, 1971:—

AMENDMENTS

I. In the said rules:—

In rule 4.43, for clause (xxi), the following clause shall be substituted, namely:—

(xxi) shall collect the fares from and issue tickets to the passengers before they are allowed to enter the bus;

II. In rule 4.45,

(I) for clause (vii i), the following clauses shall be substituted, namely:—

“(viii) neglects or avoids to pay the legal fare and obtain a ticket for journey in the vehicle from the conductor or any other person authorised to issue tickets, before the vehicle departs on its legitimate journey from the boarding point;

(Note.—This clause shall not apply to pass-holders and persons holding the authorisation, containing the particulars of the persons so authorised and the journey to be performed by them, given in writing by the permit holder to travel in a vehicle).

(viii)(A) refuses to surrender, if required by the driver or the conductor or any other authorised person, the ticket at end of the journey for the purposes of investigation or evidence;

(vii)(B) refuses to declare, if so required by the driver or the conductor, the journey he intends to take or has taken in the vehicle and to pay the legal fare for the whole of this journey and to accept a ticket provided therefor;

(viii)(C) uses or attempts to use a ticket for any journey other than for which it has been issued or for any vehicle other than for which it has been issued, or a ticket which has already been used, by another passenger, or on another journey;

(Explanation.—For the purpose of clauses (viii) (A) to (C) ‘ticket’ includes a pass or authorisation in writing, containing the particulars of the persons authorised to travel and of the journey to be performed by them, issued by the permit holder).

(viii) (D) travels beyond the destination to which fare he has paid, does not entitle him to travel without informing and paying the legal fare for the journey beyond such destination”.

(II) after clause (xviii) the following new clauses shall be added, namely:—

“(xxix) mounts the driver’s platform, or talk or interfere with, or otherwise distract the attention of the driver of a stage carriage while such driver is on duty;

- (xxx) Place his Foot, upon any seat of a carriage;
 (xxxi) has dress or clothing which is likely to spoil or damage the seats or the dress or clothing of another passenger or which for any other reason is offensive to other passengers;
 (xxxii) carries any animal, bird, fish or fish (other than tinned food in its original packings), any instrument, substance or any other articles which annoys, or inconvenience or is offensive to any passenger, or is likely to do so;
 (xxxiii) rings, without lawful excuse any bell or interferes with any signal of a vehicle".

III. After rule 4.45 the following new rules shall be inserted, namely:

"4.45(A) No person (not being an employee of the permit holder) except a bona fide passenger or intending passenger, shall board a stage carriage.

4.45(B) A copy of the rules, 4.45 and 4.45 (A) shall be conspicuously displayed in every stage carriage in English and in such other language as the Regional Transport Authority/State Transport Authority, may direct".

By order,
 P. K. MATTOO,
 Secretary.

भाग 4—स्थानीय स्वायत्त शासन: म्यूनिसिपल बोर्ड, डिस्ट्रिक्ट बोर्ड, नोटिफाइड और टाउन एरिया तथा पंचायत विभाग

PANCHAYATI RAJ DEPARTMENT NOTIFICATION

Simla-4, the 15th January, 1972

December, 1971.

No. 6-1/70-Pnt-Sectt.—In exercise of the powers conferred by section 39-A of the Punjab Laws Act, 1872, and all other powers enabling him in this behalf, the Governor, Himachal Pradesh is pleased to apply *mutatis mutandis* to the areas comprised in Himachal Pradesh before the first day of November, 1966, the Punjab Chowkidara Rules published with Punjab Government notification No. 2778, dated the 15th August, 1876, as amended by Punjab Government notification No. G.S.R. 238/CA. 4/1872/S. 39-A/Amd. (1)/66, dated the 11th October, 1966, and the Himachal Pradesh Government notification No. 6-1/70-Pnt-Sectt., dated the 17th

CORRIGENDUM

Simla-4, the 22nd January, 1972

No. 1-8/71-CD (PNT).—Please substitute "Rs. 350-25-500-30-590/30-800" for "Rs. 350-25-500-590/30-800" appearing in the fifth line of this Departments notification of even number, dated the 8th December, 1971.

K. C. PANDEYA,
 Secretary.

भाग 5—वैयक्तिक अधिसूचनाएं और विज्ञापन

IN THE HIGH COURT OF HIMACHAL PRADESH AT SIMLA

ORIGINAL JURISDICTION

In the matter of the Companies Act, 1956.
 and

In the matter of Mohan Meakin Breweries Limited.
 Mohan Meakin Breweries Limited, a public limited Company, having its Registered office at Solan Brewery, Simla Hills, Himachal Pradesh (Petitioner).

Company petition No. C.O.P. (C.P.) 7/71.
 Notice of hearing of petition.

Notice is hereby given that a petition was, on the 30th day of December, 1971, presented to the Court by the above named company, to confirm the alteration of the memorandum of Association of the said Company, resolved on by a special resolution of the Company passed at the general meeting of the said Company held on 27th day of November, 1971, as follows:—

"Resolved as a Special Resolution that, subject to confirmation by the Court, the Memorandum of Association of the Company be altered in the manner following:—

After sub-clause (33) of clause 3, the OBJECTS for which the Company is established, the following sub-clause be inserted as sub-clause (33a):—

(33a) To subscribe for, take or otherwise acquire and hold shares, stocks, debentures, debenture-stock, bonds and other securities in or of any

Company, Corporation, Bank or of any Government.

And notice is further given that the said petition is directed to be heard before the Court on 24th day of April, 1972, and any person interested in the said Company as a debenture-holder, creditor or member thereof, or otherwise who wishes to oppose the making of an order confirming the said alteration should give notice of his intention and the grounds of his objections in writing to the Advocate of the Company so as to reach him not later than 19th day of April, 1972 and should appear at the time of the hearing in person or by Advocate when he will be heard. A copy of the said petition will be furnished to any such person requiring it on the payment of the prescribed charges for the same.

Dated this 7th day of January, 1972.

(Seal) KAPIL DEV SOOD, ADVOCATE,
 Dalziel Lodge, Simla-3,
 Counsel for the Company.

ब अदालत साहिब सीनियर सब-जज महोदय, धर्मशाला, जिला कांगड़ा
 दरख्वास्त हपूज सार्टिफिकेट जानशीनी नं० 13 आफ 1970, बाबत
 तरका श्रीमती प्रभाती देवी मतवफ़ा ।

गुरबख्सा सिंह पुत्र गोरखू राम जाति घिरथ, सकना रजयाना
 तहसील कांगड़ा ।

बनाम

सर्वजनता ।

महदमा मन्त्रालय उद्देश्यवाला राज्य नै दरहामन वगैरह तरमीन
दरहामन दमूत मन्त्रिकिन्त जानगीती अदालत हजा मे गुजरानी
हे। निजाला अन्तरिया इशहार हजा हर खाम व आम को मुचित
किया जाता हे कि यदि हम को निजाला कोर्ट उन्नीहोये तो बतारीख
22-3-72 हजर अदालत हजा नो कर पेश करे बुरत दीगर

कारवाई जाता अमल में आवेगी।

तिथि: 19-1-72

हस्ताक्षरित,
सीनियर सब-जज।

मोहर।

भाग 6—भारतीय राजपत्र इत्यादि में से पुनः प्रकाशन

LAW DEPARTMENT NOTIFICATIONS

Sin la-4, the 29th October, 1959

No. I.R. 16-12 58.—The following Acts passed by the Parliament of India and already published in the Gazette of India Extraordinary Part II, Section I, dated the 29th August and 1st September, 1969 respectively are hereby republished in the Himachal Pradesh Administration Gazette for the information of general public:—

1. The Kerala Local Authorities Laws (Amendment) Act, 1959 (No. 27 of 1959).
2. The Public Works (Extension of Limitation) Act, 1959 (No. 29 of 1959).

K. R. TANDON,
Under Secretary (Judicial).

Assented to on 29-3-1959.

THE KERALA LOCAL AUTHORITIES LAWS (AMENDMENT ACT, 1959) (27 of 1959)

AN
ACT

to provide for the further extension of the term of office of the Mayor and other councillors and chairmen of standing committees of the Corporation of Trivandrum, and of the councillors of municipalities; and to provide for the recovery in certain cases of arrears of cesses, rates, taxes, fees or other sums due to Panchayats.

WHEREAS by virtue of the Proclamation issued by the President under article 356 of the Constitution on the 31st day of July, 1959, the powers of the legislature of the State of Kerala are now exercisable by or under the authority of the Parliament;

It is enacted by Parliament in the Tenth Year of the Republic of India as follows:—

1. *Short title.* This Act may be called the Kerala Local Authorities Laws (Amendment) Act, 1959.

2. *Definitions.* In this Act, —

- (a) "Kerala municipal laws" means, —
(i) the Trivandrum City Municipal Act (Trav. Act 4 of 1116);
(ii) the Travancore District Municipalities Act, 1116 (Trav. Act 23 of 1116);
(iii) the Cochin Municipal Act XVIII of 1113 (Cochin Act XVIII of 1113);
(iv) the Madras District Municipalities Act, 1920 (Madras Act 5 of 1920), as in force in Malabar;
- (v) the Municipal Laws (Amendment) Act, 1958 (Kerala Act 43 of 1958); and
- (vi) the Madras District Municipalities (Amendment) Act, 1958 (Kerala Act 44 of 1958);

(b) "Malabar" means the Malabar district referred to in sub-section (2) of section 3 of the States Reorganisation Act, 1956 (37 of 1956).

3. *Extension of term of office of certain municipal functionaries.*—Notwithstanding anything in any of the Kerala municipal laws, the Government may, by notification in the Gazette, extend the term of office of—

- (i) the Mayor and other councillors and the chairmen of standing committees of the Corporation of Trivandrum constituted under the Trivandrum City Municipal Act (Trav. Act 4 of 1116); and
- (ii) the councillors of any municipality constituted under the Madras District Municipalities Act, 1920 (Madras Act 5 of 1920), as in force in Malabar, or the Travancore District Municipalities Act, 1116 (Trav. Act 23 of 1116), or the Cochin Municipal Act XVIII of 1113 (Cochin Act XVIII of 1113);

which expires at noon on the 1st day of September, 1959, up to such date not later than the 1st day of September, 1960, as may be specified in the notification.

4. *Election and term of office of new councillors in cases falling under section 3.*—When the term of office of the Mayor or of any chairman of councillor has been extended under section 3, the provisions of the Kerala municipal laws shall have effect in relation thereto, subject to the following modifications, namely:—

(a) the Government shall cause elections—

(i) to be so held, and appointments to be so made, of councillors to the Corporation of Trivandrum that the newly elected and appointed councillors enter upon office on the date specified in the notification under section 3;

(ii) to every municipality concerned to be so held that the newly elected councillors enter upon office on the date specified as aforesaid;

(b) the term of office of the newly elected or appointed councillors shall expire on the day immediately succeeding the expiry of three years from the date referred to in clause (a);

(c) the election of the Mayor of the council of the Corporation of Trivandrum shall be held at the first meeting of the council after the date referred to in clause (a) and the election of the chairman of each standing committee of the council shall be held at the first meeting of such committee.

5. *Removal of difficulties.*—If any difficulty arises in giving effect to the provisions of this Act, or of any of the Kerala municipal laws as modified by section 4, the Government may, as occasion may arise, by order, do anything which appears to them necessary for the purpose of removing the difficulty.

6. *Amendment of Travancore-Cochin Panchayats Act.*—In the Travancore-Cochin Panchayats Act, 1959 (Trav. Cochin Act 2 of 1959), after section 57, the following section shall be inserted, namely:—

"57A. *Recovery of arrears of cess, etc., where Panchayats cease to exist or to exercise jurisdiction.*—Where a Panchayat ceases to exist, or ceases to

exercise jurisdiction over any local area, by reason of any notification issued under section 3, any cess, rate, tax, fee or other sum which accrued due to such Panchayat before the date it ceased to so exist or to exercise jurisdiction, shall be payable to such authority as the Government may, by general or special order, specify, and may be recovered as an arrear of land revenue under the Revenue Recovery Act for the time being in force."

7. *Repeal of Kerala Acts 43 and 44 of 1958.*—The Municipal Laws (Amendment) Act, 1958, and the Madras District Municipalities (Amendment) Act, 1958, shall stand repealed on the 1st day of September, 1959.

Assented to on 1-9-1959.

THE PUBLIC WAKFS (EXTENSION OF LIMITATION) ACT, 1959
(29 OF 1959)

AN
ACT

to extend the period of limitation in certain cases for suits to recover possession of immovable property forming part of public wakfs.

BE it enacted by Parliament in the Tenth Year of the Republic of India as follows:—

1. *Short title and extent.*—(1) This Act may be called the Public Wakfs (Extension of Limitation) Act, 1959.

(2) It extends to the whole of India except the State of Jammu and Kashmir.

2. *Definition.*—In this Act, "public wakf" means the permanent dedication by a person professing Islam of any immovable property for any purpose recognised by Muslim Law as a public purpose of a pious, religious or charitable nature.

3. *Extension of period of limitation in certain cases for suits to recover possession of immovable property forming part of public wakfs.*—Where a person entitled to institute a suit of the description referred to in article 142 or article 144 of the First Schedule to the Indian Limitation Act, 1908 (9 of 1908), for possession of any immovable property forming part of a public wakf or any interest therein has been dispossessed, or has discontinued the possession, at any time after the 14th day of August, 1947, and before the 7th day of May, 1954, or, as the case may be, the possession of the defendant in such a suit has become adverse to such person at any time during the said period, then, notwithstanding anything contained in the said Act, the period of limitation in respect of such a suit shall extend up to the 15th day of August, 1967.

4. *Repeal and saving.*—(1) The Public Wakfs (Extension of Limitation) Ordinance, 1959 (2 of 1959), is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the said Ordinance shall be deemed to have been done or taken under this Act as if this Act had commenced on the 20th day of July, 1959.

Simla-2, the 18th October, 1967

No. 8-1967-LR.—The following Acts recently passed by the Parliament and already published in the Gazette of India Extraordinary, Part II, Section 1, are hereby republished in the Himachal Pradesh Rajpatra for the information of general public:—

1. The Tea (Amendment) Act, 1967 (21 of 1967).

2. The Public Wakfs (Extension of Limitation) Amendment Act, 1967.
3. The Indian Official Secrets (Amendment) Act, 1967.
4. The Standards of Weights and Measures (Extension to Kohima and Mokokchung Districts Act, 1967.

JOSEPH DINA NATH,
Under Secretary (Judicial).

Assented to on 13-8-1967.

THE TEA (AMENDMENT) ACT, 1967
(Act No. 21 of 1967)

AN
ACT

further to amend the Tea Act, 1953.

BE it enacted by Parliament in the Eighteenth Year of the Republic of India as follows:—

1. *Short title.*—This Act may be called the Tea (Amendment) Act, 1967.

2. *Amendment of long title.*—In the Tea Act, 1953 (29 of 1953), (hereinafter referred to as the principal Act), in the long title, for the words "levy a customs duty on tea exported from India", the words "levy a duty of excise on tea produced in India" shall be substituted.

3. *Amendment of section 3.*—In section 3 of the principal Act, in clause (c), for the words "the customs-duty", the words "the duty of excise" shall be substituted.

4. *Substitution of new section for section 25.*—For section 25 of the principal Act, the following section shall be substituted, namely:—

"25. *Imposition of cess on tea produced in India.*—(1) There shall be levied and collected as a cess for the purposes of this Act a duty of excise on all tea produced in India at the rate of four paise per kilogram:

Provided that the Central Government may from time to time fix, by notification in the Official Gazette, a higher rate, not exceeding 8.8 paise per kilogram, at which the duty of excise shall be levied and collected.

(2) The duty of excise levied under sub-section (1) shall be in addition to the duty of excise leviable on tea under the Central Excises and Salt Act, 1944 (1 of 1944), or any other law for the time being in force.

(3) The provisions of the Central Excises and Salt Act, 1944 (1 of 1944), and the rules made thereunder, including those relating to refund and exemption from duty, shall, so far as may be, apply in relation to the levy and collection of the duty of excise under this section as they apply in relation to the levy and collection of the duty of excise on tea under the said Act."

Assented to on 14-8-1967.

THE PUBLIC WAKFS (EXTENSION OF LIMITATION) AMENDMENT ACT, 1967
(Act No. 22 of 1967)

AN
ACT

to amend the Public Wakfs (Extension of Limitation) Act, 1959.

BE it enacted by Parliament in the Eighteenth Year of the Republic of India as follows:—

1. *Short title.*—This Act may be called the Public Wakfs (Extension of Limitation) Amendment Act, 1967.

2. *Amendment of section 3.*—In the Public Wakfs (Extension of Limitation) Act, 1959 (29 of 1959), in section 3, for the words, figures and letters “the 15th day of August, 1967”, the words, figures and letters “the 31st day of December, 1965” shall be substituted.

Assented to on 15-8-1967.

THE INDIAN OFFICIAL SECRETS (AMENDMENT) ACT, 1967
(ACT NO. 24 OF 1967)

ACT

for amending the Indian Official Secrets Act, 1923

Enacted by Parliament in the Eighteenth Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Indian Official Secrets (Amendment) Act, 1967.

(2) Clause (b) of section 5 shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint and different dates may be appointed for different areas; and the remaining provisions of this Act shall come into force at once.

2. *Substitution of new section for section 1.*—For section 1 of the Indian Official Secrets Act, 1923 (19 of 1923), (hereinafter referred to as the principal Act), the following section shall be substituted, namely:—

“1. *Short title, extent and application.*—(1) This Act may be called the Official Secrets Act, 1923.

(2) It extends to the whole of India and applies also to servants of the Government and to citizens of India outside India.”

3. *Amendment of section 2.*—In section 2 of the principal Act, in clause (6), the words “or of the Government of the United Kingdom or of any British possession” shall be omitted.

4. *Amendment of section 3.*—In section 3 of the principal Act,—

(a) in clause (c) of sub-section (1), after the words “useful to an enemy”, the following shall be inserted, namely:—

“or which relates to a matter the disclosure of which is likely to affect the sovereignty and integrity of India, the security of the State or friendly relations with foreign States”;

(b) in sub-section (2),—

(i) the words “with imprisonment for a term which may extend to fourteen years” shall be omitted;

(ii) for the words “or information shall be presumed to have been made”, the words “information, code or pass word shall be presumed to have been made” shall be substituted.

5. *Amendment of section 5.*—In section 5 of the principal Act,

(a) in sub-section (1), for the words “or which has been made or obtained in contravention of this Act”, the following shall be substituted, namely:—

“or which is likely to assist, directly or indirectly, an enemy or which relates to a matter the disclosure of which is likely to affect the sovereignty and integrity of India, the security of the State or friendly relations with foreign States or which has been made or obtained in contravention of this Act.”;

(b) for sub-section (4), the following sub-section shall be substituted, namely:—

“(4) A person guilty of an offence under this section shall be punishable with imprisonment for a term which may extend to three years, or with fine, or with both.”

6. *Amendment of section 6.*—In section 6 of the principal Act,—

(a) in sub-section (3), for the words “two years”, the words “three years” shall be substituted;

(b) in sub-section (4), the words “with imprisonment for a term which may extend to fourteen years” shall be omitted.

7. *Amendment of section 7.*—In section 7 of the principal Act, in sub-section (2), for the words “two years”, the words “three years” shall be substituted.

8. *Amendment of section 8.*—In section 8 of the principal Act, in sub-section (2), for the words “two years”, the words “three years” shall be substituted.

9. *Amendment of section 10.*—In section 10 of the principal Act, in sub-section (3), for the words “one year”, the words “three years” shall be substituted.

10. *Substitution of new section for section 12.*—For section 12 of the principal Act, the following section shall be substituted, namely:—

“12. *Provisions of section 337 of Act 5 of 1898 to apply to offences under sections 3, 5 and 7.*—The provisions of section 337 of the Code of Criminal Procedure, 1898 shall apply in relation to an offence punishable under section 3 or under section 5 or under section 7 or under any of the said sections 3, 5 and 7 read with section 9, as they apply in relation to an offence punishable with imprisonment for a term which may extend to seven years.”

11. *Amendment of section 13.*—In section 13 of the principal Act, in sub-section (3), the proviso shall be omitted.

12. *Substitution of new section for section 15.*—For section 15 of the principal Act, the following section shall be substituted, namely:—

“15. *Offences by companies.*—(1) If the person committing an offence under this Act is a company, every person who, at the time the offence was committed, was in charge of, and was responsible to, the company for the conduct of business of the company, as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this sub-section shall render any such person liable to such punishment provided in this Act if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any negligence on the part of, any director, manager, secretary or other officer of the company such director, manager, secretary or other officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation.—For the purposes of this section,—

- (a) “company” means a body corporate and includes a firm or other association of individuals; and
- (b) “director”, in relation to a firm, means a partner in the firm.”

13. *Amendment of section 6 of Act 51 of 1962.*—In section 6 of the Defence of India Act, 1962, sub-clause (c) of clause (1) shall be omitted.

Assented to on 26-8-1967.

THE STANDARDS OF WEIGHTS AND MEASURES (EXTENSION TO KOHIMA AND MOKOKCHUNG DISTRICTS) ACT, 1967 (ACT No. 25 OF 1967)

AN
ACT

to extend the Standards of Weights and Measures Act, 1956, to the Kohima and Mokokchung districts in the State of Nagaland.

BE it enacted by Parliament in the Eighteenth Year of the Republic of India as follows:—

1. *Short title.*—This Act may be called the Standards of Weights and Measures (Extension to Kohima and Mokokchung Districts) Act, 1967.

2. *Extension of Act 89 of 1956 to Kohima and Mokokchung districts in Nagaland.*—The Standards of Weights and Measures Act, 1956, shall, as from the commencement of this Act, extend to the Kohima and Mokokchung districts in the State of Nagaland and shall come into force therein on such date as the Central Government may, by notification in the Official Gazette, appoint.

Simla-2, the 18th August, 1967

No. 8-1/67-LR.—The following Acts recently passed by the Parliament and already published in the Gazette of India, Extraordinary, Part II, Section I, are hereby republished in the Himachal Pradesh Rajpatra for the information of general public:

1. Passports Act, 1967 (15 of 1967).
2. Anti-Corruption Laws (Amendment) Act, 1967 (16 of 1967).
3. Companies Tribunal (Abolition) Act, 1967 (17 of 1967).

JOSEPH DINA NATH,
Under Secretary (Judicial).

Assented to on 24-6-1967.

THE PASSPORTS ACT, 1967 (ACT No. 15 OF 1967)

AN
ACT

to provide for the issue of passports and travel documents, to regulate the departure from India of citizens of India and other persons and for matters incidental or ancillary thereto.

BE it enacted by Parliament in the Eighteenth Year of the Republic of India as follows:—

1. *Short title and extent.*—(1) This Act may be called the Passports Act, 1967.

(2) It extends to the whole of India and applies also to citizens of India who are outside India.

2. *Definitions.*—In this Act, unless the context otherwise requires,—

(a) “departure”, with its grammatical variations and

cognate expressions, means departure from India by water, land or air;

(b) “passport” means a passport issued or deemed to have been issued under this Act;

(c) “passport authority” means an officer or authority empowered under rules made under this Act to issue passports or travel documents and includes the Central Government;

(d) “prescribed” means prescribed by rules made under this Act;

(e) “travel document” means a travel document issued or deemed to have been issued under this Act.

3. *Passport or travel document for departure from India.*—No person shall depart from, or attempt to depart from, India unless he holds in this behalf a valid passport or travel document.

Explanation.—For the purposes of this section,—

(a) “passport” includes a passport which having been issued by or under the authority of the Government of a foreign country satisfies the conditions prescribed under the Passport (Entry into India) Act, 1920 (34 of 1920), in respect of the class of passports to which it belongs;

(b) “travel document” includes a travel document which having been issued by or under the authority of the Government of a foreign country satisfies the conditions prescribed.

4. *Classes of passports and travel documents.*—(1) The following classes of passports may be issued under this Act, namely:—

- (a) ordinary passport;
- (b) official passport;
- (c) diplomatic passport.

(2) The following classes of travel documents may be issued under this Act, namely:—

- (a) emergency certificate authorising a person to enter India;
- (b) certificate of identity for the purpose of establishing the identity of a person;
- (c) such other certificate or document as may be prescribed.

(3) The Central Government shall, in consonance with the usage and practice followed by it in this behalf, prescribe the classes of persons to whom the classes of passports and travel documents referred to respectively in sub-section (1) and sub-section (2) may be issued under this Act.

5. *Applications for passports, travel documents, etc. and orders thereon.*—(1) An application for the issue of a passport or travel document under this Act, or for an endorsement on such passport or travel document, for visiting such foreign country or countries as may be specified in the application may be made to the passport authority and shall be in such form, contain such particulars and be accompanied by such fee (if any) not exceeding rupees twenty-five as may be prescribed.

(2) On receipt of an application, the passport authority, after making such inquiry, if any, as it may consider necessary, shall, subject to the other provisions of this Act, by order in writing,—

(a) issue the passport or travel document with endorsement, or, as the case may be, make on the passport or travel document the endorsement, in respect of the foreign country or countries specified in the application; or

(b) issue the passport or travel document with endorsement, or, as the case may be, make on the passport or travel document the endorsement, in respect of one or more of the foreign countries specified

in the application and refuse to make an endorsement in respect of the other country or countries;

(c) refuse to issue the passport or travel document or, as the case may be, refuse to make on the passport or travel document any endorsement.

(d) Where the passport authority makes an order under clause (b) or clause (c) of sub-section (2) on the application of any person, it shall record in writing a brief statement of its reasons, for making such order and furnish to that person on demand a copy of the same unless in any case the passport authority is of the opinion that it will not be in the interests of the sovereignty and integrity of India, the security of India, friendly relations of India with any foreign country or in the interests of the general public to furnish such copy.

6. *Refusal of passports, travel documents, etc.*—(1) Subject to the other provisions of this Act, the passport authority shall refuse to make an endorsement for visiting any foreign country under clause (b) or clause (c) of sub-section (2) of section 5 on any one or more of the following grounds, and on no other ground, namely:—

- (a) that the applicant may, or is likely to, engage in such country in activities prejudicial to the sovereignty and integrity of India;
- (b) that the presence of the applicant in such country may, or is likely to, be detrimental to the security of India;
- (c) that the presence of the applicant in such country may, or is likely to, prejudice the friendly relations of India with that or any other country;
- (d) that in the opinion of the Central Government the presence of the applicant in such country is not in the public interest.

(2) Subject to the other provisions of this Act, the passport authority shall refuse to issue a passport or travel document for visiting any foreign country under clause (c) of sub-section (2) of section 5 on any one or more of the following grounds, and on no other ground, namely:

- (a) that the applicant is not a citizen of India;
- (b) that the applicant may, or is likely to, engage outside India in activities prejudicial to the sovereignty and integrity of India;
- (c) that the departure of the applicant from India may, or is likely to, be detrimental to the security of India;
- (d) that the presence of the applicant outside India may, or is likely to, prejudice the friendly relations of India with any foreign country;
- (e) that the applicant has, at any time during the period of five years immediately preceding the date of his application, been convicted by a court in India for any offence involving moral turpitude and sentenced in respect thereof to imprisonment for not less than two years;
- (f) that proceedings in respect of an offence alleged to have been committed, by the applicant are pending before a criminal court in India;
- (g) that a warrant or summons for the appearance, or a warrant for the arrest, of the applicant has been issued by a court under any law for the time being in force or that an order prohibiting the departure from India of the applicant has been made by any such court;
- (h) that the applicant has been repatriated and has not reimbursed the expenditure incurred in connection with such repatriation;
- (i) that in the opinion of the Central Government

the issue of a passport or travel document to the applicant will not be in the public interest.

7. *Duration of passports and travel documents.*—A passport or travel document shall, unless revoked earlier, continue in force for such period as may be prescribed and different periods may be prescribed for different classes of passports or travel documents or for different categories of passports or travel documents under each such class:

Provided that a passport or travel document may be issued for a shorter period than the prescribed period:—

- (a) if the person by whom it is required so desires; or
- (b) if the passport authority, for reasons to be communicated in writing to the applicant, considers in any case that the passport or travel document should be issued for a shorter period.

8. *Renewal of passports.*—Every passport shall, unless the passport authority for reasons to be recorded in writing otherwise determines in any case, be renewable for the same period for which the passport was originally issued and the provisions of this Act (including the provisions as to fees) shall apply to the renewal of a passport as they apply to the issue thereof.

9. *Conditions and forms of passports and travel documents.*—The conditions subject to which, and the form in which, a passport or travel document shall be issued or renewed shall be such as may be prescribed:

Provided that different conditions and different forms may be prescribed for different classes of passports or travel documents or for different categories of passports or travel documents under each such class:

Provided further that a passport or travel document may contain in addition to the prescribed conditions such other conditions as the passport authority may, with the previous approval of the Central Government, impose in any particular case.

10. *Variation, impounding and revocation of passports and travel documents.*—(1) The passport authority may, having regard to the provisions of sub-section (1) of section 6 or any notification under section 19, vary or cancel the endorsements on a passport or travel document or may, with the previous approval of the Central Government, vary or cancel the conditions (other than the prescribed conditions) subject to which a passport or travel document has been issued and may, for that purpose, require the holder of a passport or a travel document, by notice in writing, to deliver up the passport or travel document to it within such time as may be specified in the notice and the holder shall comply with such notice.

(2) The passport authority may, on the application of the holder of a passport or a travel document, and with the previous approval of the Central Government also vary or cancel the conditions (other than the prescribed conditions) of the passport or travel document.

(3) The passport authority may impound or cause to be impounded or revoke a passport or travel document,—

- (a) if the passport authority is satisfied that the holder of the passport or travel document is in wrongful possession thereof;
- (b) if the passport or travel document was obtained by the suppression of material information or on the basis of wrong information provided by the holder of the passport or travel document or any person on his behalf;
- (c) if the passport authority deems it necessary so to do in the interests of the sovereignty and

- integrity of India, the security of India, friendly relations of India with any foreign country, or in the interests of the general public;
 - (d) if the holder of the passport or travel document has, at any time after the issue of the passport or travel document, been convicted by a court in India for any offence involving moral turpitude and sentenced in respect thereof to imprisonment for not less than two years;
 - (e) if proceedings in respect of an offence alleged to have been committed by the holder of the passport or travel document are pending before a criminal court in India;
 - (f) if any of the conditions of the passport or travel document has been contravened;
 - (g) if the holder of the passport or travel document has failed to comply with a notice under sub-section (1) requiring him to deliver up the same;
 - (h) if it is brought to the notice of the passport authority that a warrant or summons for the appearance, or a warrant for the arrest, of the holder of the passport or travel document has been issued by a court under any law for the time being in force or if an order prohibiting the departure from India of the holder of the passport or other travel document has been made by any such court and the passport authority is satisfied that a warrant or summons has been so issued or an order has been so made.
- (4) The passport authority may also revoke a passport or travel document on the application of the holder thereof.
- (5) Where the passport authority makes an order varying or cancelling the endorsements on, or varying the conditions of, a passport or travel document under sub-section (1) or an order impounding or revoking a passport or travel document under sub-section (3), it shall record in writing a brief statement of the reasons for making such order and furnish to the holder of the passport or travel document on demand a copy of the same unless in any case, the passport authority is of the opinion that it will not be in the interests of the sovereignty and integrity of India, the security of India, friendly relations of India with any foreign country or in the interests of the general public to furnish such a copy.
- (6) The authority to whom the passport authority is subordinate may, by order in writing, impound or cause to be impounded or revoke a passport or travel document on any ground on which it may be impounded or revoked by the passport authority and the foregoing provisions of this section shall, as far as may be, apply in relation to the impounding or revocation of a passport for travel document by such authority.
- (7) A court convicting the holder of a passport or travel document of any offence under this Act or the rules made thereunder may also revoke the passport or travel document:

Provided that if the conviction is set aside on appeal or otherwise the revocation shall become void.

(8) An order of revocation under sub-section (7) may also be made by an appellate court or by the High Court when exercising its powers of revision.

(9) On the revocation of a passport or travel document under this section the holder thereof shall, without delay, surrender the passport or travel document, if the same has not already been impounded, to the authority by whom it has been revoked or to such other authority as may be specified in this behalf in the order of revocation.

11. *Appeals.*—(1) Any person aggrieved by an order of the passport authority under clause (b) or clause (c) of sub-section (2) of section 5 or clause (i) of the proviso to section 7 or sub-section (1), or sub-section (3) of section 10 or by an order under sub-section (6) of section 10 of the authority to whom the passport authority is subordinate, may prefer an appeal against that order to such authority (hereinafter referred to as the appellate authority) and within such period as may be prescribed:

Provided that no appeal shall lie against any order made by the Central Government.

(2) No appeal shall be admitted if it is preferred after the expiry of the period prescribed therefor:

Provided that an appeal may be admitted after the expiry of the period prescribed therefor if the appellant satisfies the appellate authority that he had sufficient cause for not preferring the appeal within that period.

(3) The period prescribed for an appeal shall be computed in accordance with the provisions of the Limitation Act, 1963 (36 of 1963), with respect to the computation of the periods of limitation thereunder.

(4) Every appeal under this section shall be made by a petition in writing and shall be accompanied by a copy of the statement of the reasons for the order appealed against where such copy has been furnished to the appellant and by such fee (if any) not exceeding rupees twenty-five as may be prescribed.

(5) In disposing of an appeal, the appellate authority shall follow such procedure as may be prescribed:

Provided that no appeal shall be disposed of unless the appellant has been given a reasonable opportunity of representing his case.

(6) Every order of the appellate authority confirming, modifying or reversing the order appealed against shall be final.

12. *Offences and penalties.*—(1) Whoever—

- (a) contravenes the provisions of section 3; or
- (b) knowingly furnishes any false information or suppresses any material information with a view to obtaining a passport or travel document under this Act or without lawful authority alters or attempts to alter or causes to alter the entries made in a passport or travel document; or
- (c) fails to produce for inspection his passport or travel document (whether issued under this Act or not) when called upon to do so by the prescribed authority; or
- (d) knowingly uses a passport or travel document issued to another person; or
- (e) knowingly allows another person to use a passport or travel document issued to him,

shall be punishable with imprisonment for a term which may extend to six months or with fine which may extend to two thousand rupees or with both.

(2) Whoever abets any offence punishable under sub-section (1) shall, if the act abetted is committed in consequence of the abetment, be punishable with the punishment provided in that sub-section for that offence.

(3) Whoever contravenes any condition of a passport or travel document or any provision of this Act or any rule made thereunder for which no punishment is provided elsewhere in this Act shall be punishable with imprisonment for a term which may extend to three months or with fine which may extend to five hundred rupees or with both.

(4) Whoever, having been convicted of an offence under this Act is again convicted of an offence under

the offence shall be punishable with double the penalty provided for the latter offence.

13. *Power to arrest.* (1) Any officer of customs empowered by a general or special order of the Central Government in this behalf and any officer of police not below the rank of a sub-inspector may arrest without warrant any person against whom a reasonable suspicion exists that he has committed any offence punishable under this Act, as soon as may be, inform the nearest police station of such arrest.

(2) Any officer making an arrest under this section shall, if necessary, take or send the person arrested to the nearest magistrate having jurisdiction in the area or to the nearest police station or to the nearest police station of section 61 of the Code of Criminal Procedure, 1898 (7 of 1898), shall, so far as may be, follow the provisions of any such arrest.

14. *Power of search and seizure.* (1) Any officer empowered by a general or special order of the Central Government in this behalf and any officer not below the rank of a sub-inspector may search any person and seize any passport or travel document from any person against whom a reasonable suspicion exists that he has committed any offence punishable under this Act.

(2) The provisions of the Code of Criminal Procedure, 1898 (7 of 1898), relating to searches and seizures shall, so far as may be, apply to searches and seizures under this section.

15. *Previous sanction of Central Government necessary.* No prosecution shall be instituted against any person in respect of any offence under this Act without the previous sanction of the Central Government or such officer or authority as may be authorised by that Government by order in writing in this behalf.

16. *Protection of action taken in good faith.*—No suit, prosecution or other legal proceeding shall lie against the Government or any officer or authority for anything which is in good faith done or intended to be done under this Act.

17. *Passports and travel documents to be property of Central Government.*—A passport or travel document issued under this Act shall at all times remain the property of the Central Government.

18. *Passports, etc., not to be issued to persons who cannot emigrate under Act 7 of 1922.* Notwithstanding anything contained in this Act, where a person has applied for a passport, or an endorsement of his passport, for visiting a foreign country for the purpose of emigrating to such country, the passport shall not be issued to such person or, as the case may be, the endorsement shall not be made on his passport, for visiting such country if he is not permitted to emigrate, or is prohibited from emigrating, to such country by or under the provisions of the Emigration Act, 1922.

Explanation. For the purposes of this section, "emigrate" and "emigration" shall have the meanings assigned to those expressions under clause (c) of sub-section (1) of section 2 of the Emigration Act, 1922 (7 of 1922).

19. *Passports and travel documents to be invalid for travel to certain countries.* Upon the issue of a notification by the Central Government that a foreign country is—

(a) a country which is committing external aggression against India; or

(b) a country assisting the country committing

(c) a country where armed hostilities are in progress; or

(d) a country to which travel must be restricted in the public interest because such travel would seriously impair the conduct of foreign affairs of the Government of India,

a passport or travel document for travel through or visiting such country shall cease to be valid for such travel or visit unless in any case a special endorsement in that behalf is made in the prescribed form by the prescribed authority.

20. *Issue of passports and travel documents to persons who are not citizens of India.*—Notwithstanding anything contained in the foregoing provisions relating to issue of a passport or travel document, the Central Government may issue, or cause to be issued, a passport or travel document to a person who is not a citizen of India if that Government is of the opinion that it is necessary so to do in the public interest.

21. *Power to delegate.*—The Central Government may, by notification in the Official Gazette, direct that any power or function which may be exercised or performed by it under this Act other than the power under clause (d) of sub-section (1) of section 6 or the power under clause (i) of sub-section (2) of that section or the power under section 24, may, in relation to such matters and subject to such conditions, if any, as it may specify in the notification, be exercised or performed—

(a) by such officer or authority subordinate to the Central Government; or

(b) by any State Government or by any officer or authority subordinate to such Government; or

(c) in any foreign country in which there is no diplomatic mission of India, by such foreign Consular Officer;

as may be specified in the notification.

22. *Power to exempt.*—Where the Central Government is of the opinion that it is necessary or expedient in the public interest so to do, it may, by notification in the Official Gazette and subject to such conditions, if any, as it may specify in the notifications,—

(a) exempt any person or class of persons from the operation of all or any of the provisions of this Act or the rules made thereunder; and

(b) as often as may be, cancel any such notification and again subject, by a like notification, the person or class of persons to the operation of such provisions.

23. *Act to be in addition to certain enactments.*—The provisions of this Act shall be in addition to and not in derogation of the provisions of the Passport (Entry into India) Act, 1920 (34 of 1920), the Emigration Act, 1922 (7 of 1922), the Registration of Foreigners Act, 1939 (16 of 1939), the Foreigners Act, 1946 (31 of 1946), the Foreign Exchange Regulation Act, 1947 (7 of 1947), the Trading with the Enemy (Continuance of Emergency Provisions) Act, 1947 (16 of 1947), the Foreigners Law (Application and Amendment) Act, 1962 (42 of 1962), and other enactments relating to foreigners and foreign exchange.

24. *Power to make rules.*—(1) The Central Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

(a) the appointment, jurisdiction, control and functions of passport authorities;

- (b) the classes of persons to whom passports and travel documents referred to respectively in sub-section (1) and sub-section (2) of section 4 may be issued;
- (c) the form and particulars of application for the issue or renewal of a passport or travel document or for endorsement on a passport or travel document and where the application is for the renewal, the time within which it shall be made;
- (d) the period for which passport and travel documents shall continue in force;
- (e) the form in which and the conditions subject to which the different classes of passports and travel documents may be issued, renewed or varied;
- (f) the fees payable in respect of any application for the issue or renewal of a passport or travel document or for varying any endorsement or making a fresh endorsement on a passport or a travel document and the fees payable in respect of any appeal under this Act;
- (g) the appointment of appellate authorities under sub-section (1) of section 11, the jurisdiction of, and the procedure which may be followed, by such appellate authorities;
- (h) the services (including the issue of a duplicate passport or travel document in lieu of passport or travel document lost, damaged or destroyed) which may be rendered in relation to a passport or travel document and the fees therefor;
- (i) any other matter which is to be or may be prescribed or in respect of which this Act makes no provision or makes insufficient provision and provision is, in the opinion of the Central Government, necessary for the proper implementation of the Act.
- (3) Every rule made under this Act shall be laid as soon as may be after it is made, before each House of Parliament while it is in session for a total period of thirty days which may be comprised in one session or in two successive sessions, and if, before the expiry of the session in which it is so laid or the session immediately following, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.
- 25. Change of short title of Act 34 of 1920.**—In the Indian Passport Act, 1920, in sub-section (1) of section 1, for the words and figures "the Indian Passport Act, 1920", words, brackets and figures "the Passport (Entry into India) Act, 1920" shall be substituted.
- 26. Saving as to certain passports and applications.**—(1) Every passport and every travel document issued by or under the authority of the Central Government before the commencement of the Passports Ordinance, 1967 (4 of 1967), and in force immediately before such commencement shall be deemed to have been issued under this Act and shall, subject to the provisions of this Act, continue in force—
- (a) for the unexpired portion of the period for which such passport or travel document had been issued; or
- (b) for a period of five years from such commencement; whichever is shorter.
- (2) All applications for the issue or renewal of, the

making of an endorsement on, or the performance of any service in relation to, a passport or travel document made to the Central Government or to any officer or authority appointed by that Government in that behalf before the 5th May, 1967 and pending before the commencement of this Act shall, after such commencement, be disposed of in accordance with the provisions of this Act.

27. Repeal and saving.—(1) The Passports Ordinance, 1967 (4 of 1967), is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken or purporting to have been done or taken under the said Ordinance shall be deemed to have been done or taken under this Act as if this Act had commenced on the 5th day of May, 1967.

Assent d to on 25-6-1967.

THE ANTI-CORRUPTION LAWS (AMENDMENT) ACT, 1967 (ACT NO. 16 OF 1967)

AN
ACT

to amend the anti-corruption laws.

BE it enacted by Parliament in the Eighteenth Year of the Republic of India as follows:—

1. Short title and commencement.—(1) This Act may be called the Anti-Corruption Laws (Amendment) Act, 1967.

(2) It shall be deemed to have come into force on the 5th day of May, 1967.

2. (1) Notwithstanding—

(a) *Amendment of anti-corruption law in relation to certain pending trials.*—The substitution of new provisions for sub-section (3) of section 5 of the Prevention of Corruption Act, 1947 (hereinafter referred to as the 1947 Act) (2 of 1947), by section 6 (2) (c) of the Anti-Corruption Laws (Amendment) Act, 1964 (40 of 1964), (hereinafter referred to as the 1964-Act); and

(b) any judgment or order of any court the said sub-section (3) as it stood immediately before the commencement of the 1964-Act, shall apply and shall be deemed always to have applied to and in relation to trials of offences punishable under sub-section (2) of section 5 of the 1947-Act pending before any court immediately before such commencement as if no such new provisions had been substituted for said sub-section (3).

(2) The accused person in any trial to and in relation to which sub-section (1) applies may, at the earliest opportunity available to him after the commencement of this Act, demand that the trial of the offence should proceed from the stage at which it was immediately before the commencement of the 1964-Act and on any such demand being made the court shall proceed with the trial from that stage.

(3) for the removal of doubt it is hereby provided that any court—

(i) before which an appeal or application for revision against any judgment, order or sentence passed or made in any trial to which sub-section (1) applies is pending immediately before the commencement of this Act, or

(ii) before which an appeal or application for revision against any judgement, order or sentence passed or made before the commencement of this Act in any such trial, is filed after such commencement,

shall remand the case for trial in conformity with the provisions of this section.

3. *Repeal and saving.* (1) The Anti-Corruption Laws (Amendment) Ordinance, 1967 (3 of 1967) is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the said Ordinance shall be deemed to have been done or taken under this Act.

Assented to on 27-6-1967.

THE COMPANIES TRIBUNAL (ABOLITION) ACT, 1967

(ACT No. 17 OF 1967)

AN
ACT

to provide for the abolition of the Companies Tribunal and for matters connected therewith.

Enacted by Parliament in the Eighteenth Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Companies Tribunal (Abolition) Act, 1967.

(2) It shall come into force on the 1st day of July, 1967.

2. *Abolition of the Companies Tribunal.*—On the commencement of this Act, the Companies Tribunal constituted under section 10A of the Companies Act, 1956 (1 of 1956), (hereinafter referred to as the "Tribunal") shall stand abolished.

3. *Transitional provisions.*—(1) Every appeal under sub-section (3) of section 111 of the Companies Act, 1956 (1 of 1956) (hereafter in this section referred to as the said Act), pending before the Tribunal immediately before its abolition, shall, on such abolition, stand transferred to the Central Government and that Government may deal with the appeal from the stage at which such appeal was pending before the Tribunal immediately before its abolition as if it were an appeal originally filed before that Government.

(2) (a) Every application made under section 234A or, as the case may be, section 240A, of the said Act, to the Tribunal and pending before the Tribunal immediately before its abolition, shall, on such abolition, stand transferred to the Magistrate of the First Class or, as the case may be, the Presidency Magistrate, having jurisdiction to make an order under that section, and the Magistrate may deal with such application as if it were an application originally made to him.

(b) Every information required to be given under sub-section (3) of section 234A or, as the case may be, sub-section (3) of section 240A, of the said Act shall, on the abolition of the Tribunal, be given to the Magistrate of the First Class, or, as the case may be, the Presidency Magistrate.

(3) Save as otherwise provided in sub-section (1) and sub-section (2), every proceeding under the said Act, pending before the Tribunal immediately before its abolition, shall, on such abolition, stand transferred to the Court having jurisdiction, in relation to such proceeding, under section 11 of said Act, and every such Court shall deal with such proceeding as if it were a proceeding instituted before itself and where the Tribunal has taken down, or made memorandum of, any evidence in the proceeding, the Court may proceed with the proceeding from the stage at which it was left by the Tribunal on its abolition:

Provided that if the Court is of opinion that further

examination of any of the witnesses whose evidence has already been taken down by the Tribunal is necessary in the interests of justice, it may re-summon any such witness and after such further examination, cross-examination and re-examination, if any, as it may permit, the witness shall be discharged.

(4) Every decision, finding, order or other action made or taken by the Tribunal under any provision of the said Act shall, on the commencement of this Act, be deemed to be the decision, finding, order or other action of the Court or other authority which has, on such commencement, the power to make or take such decision, finding, order or other action under that provision:

Provided that nothing herein contained shall take away or otherwise affect the right of appeal conferred by any provisions of the said Act against any decision, finding, or order of the Tribunal.

4. *Consequential amendments of the Companies Act, 1956.*—The Companies Act, 1956 (1 of 1956), shall be subject to the amendments specified in the Schedule, being amendments consequential on the provisions of this Act.

THE SCHEDULE

(See section 4)

CONSEQUENTIAL AMENDMENTS IN THE COMPANIES ACT, 1956

Section 2.—Omit clause (49A).

Omit section 10A, 10B, 10C, and 10D.

Section 111.—(i) In sub-section (5A), for "disclose such reasons, the Tribunal may", substitute "disclose such reasons, that Government may";

(ii) in sub-section (9), for "direction of the Tribunal given under the proviso", substitute "direction of that Government given under the proviso";

(iii) save as otherwise provided in items (i) and (ii), in sub-sections (3), (4), (5), (5A), (6), (8) and (9) for "Tribunal", wherever it occurs, substituted "Central Government".

Section 156.—For "Tribunal", wherever it occurs, substitute "Court".

Section 234A.—(i) In sub-section (1), omit "to the Tribunal or";

(ii) in sub-sections (2) and (3), for the words "tribunal or Magistrate, as the case may be," wherever they occur, substitute "Magistrate".

Section 240A.—(i) In sub-section (1), omit "to the Tribunal or";

(ii) in sub-sections (2) and (3), for the words "Tribunal or Magistrate, as the case may be," wherever they occur, substitute "Magistrate".

Chapter IVA of Part VI.—In the heading, for "TRIBUNAL", substitute "HIGH COURT".

Section 388B.—(a) In sub-section (1),—

(i) for "Tribunal", wherever it occurs, substitute "High Court";

(ii) for "record a finding," substitute "record a decision";

(b) in sub-sections (2), (3) and (5), for "Tribunal", wherever it occurs, substitute "High Court".

Section 388C.—For "Tribunal", wherever it occurs, substitute "High Court".

Section 388D.—For "Tribunal shall record its findings", substitute "High Court shall record its decision".

Section 388E.—(a) In sub-section (1),—

(i) for "Central Government may," substitute "Central Government shall,"

(ii) for "finding of the Tribunal under this Chapter or a decision of a High Court thereon", substitute "decision of the High Court under this Chapter",

(iii) in the proviso, for "finding of the Tribunal or the decision of a High Court", substitute "decision of the High Court";

(b) for sub-section (2), substitute.—

"(2) No order removing a firm or body corporate from the office of managing agent or secretaries and treasurers shall be made in pursuance of the proviso to sub-section (1) unless such firm or body corporate has been given a reasonable opportunity of showing cause against the same:

Provided that no matter shall be raised by such firm or body corporate before the Central Government if such matter has been decided by the High Court.";

(c) in the proviso to sub-section (3), for "Tribunal", substitute "High Court".

Section 635B.—In sub-sections (3) and (4), for "Tribunal", substitute "Court".

Simla-4, the 31st December, 1960

No. 1-7/60-LR.—The following Acts recently passed by the Parliament of India and published in the Gazette of India, Extraordinary Part II, Section I, dated the 20th December, 1960 respectively are hereby republished in the Himachal Pradesh Administration Rajpatra for the information of general public:—

1. The Bilaspur Commercial Corporation (Repeal) Act, 1960 (No. 47 of 1960).
2. The Mahendra Partab Singh Estates (Repeal) Act, 1960 (No. 48 of 1960).

G. M. LAUL,
Under Secretary (Judicial).

Assented to on 18-12-1960.

THE BILASPUR COMMERCIAL CORPORATION
(REPEAL) ACT, 1960
(ACT No. 47 of 1960)

AN
ACT

to repeal the Bilaspur Commercial Corporation Act, 2005 Bikrami and to provide for certain matters incidental thereto.

Be it enacted by Parliament in the Eleventh Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Bilaspur Commercial Corporation (Repeal) Act, 1960.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. *Definitions.*—In this Act, unless the context otherwise requires,—

(a) "appointed day" means the date on which this Act comes into force;

(b) "Corporation" means the Bilaspur Commercial Corporation established under sub-section (1) of section 3 of the Bilaspur Commercial Corporation Act, 2005 Bikrami. (Bilaspur Act I of 2005 Bikrami).

3. *Repeal of Bilaspur Commercial Corporation Act, 2005 Bikrami and dissolution of Bilaspur Commercial Corporation.*—On the appointed day, the Bilaspur Commercial Corporation Act, 2005 Bikrami shall stand repealed, and the Corporation shall stand dissolved.

4. *Consequential provisions.*—On the dissolution of the Corporation,—

(a) all properties, funds and dues which are vested in, or realisable by, the Corporation shall vest in, and be realisable by, the Central Government; and

(b) all liabilities which are enforceable against the Corporation shall be enforceable only against that Government.

Assented to on 18-12-1960.

THE MAHENDRA PARTAB SINGH ESTATES
(REPEAL) ACT, 1960
(ACT No. 48 of 1960)

AN
ACT

to repeal the Mahendra Partab Singh Estates Act, 1923 and to provide for matters incidental thereto.

Be it enacted by Parliament in the Eleventh Year of the Republic of India as follows:—

1. *Short title.*—This Act may be called the Mahendra Partab Singh Estates (Repeal) Act, 1960.

2. *Repeal of Act 24 of 1923.*—The Mahendra Partab Singh Estates Act, 1923, is hereby repealed.

3. *Certain conditions of Sanad to be of no effect.*—On and from the commencement of this Act, all conditions and provisions attached to the Sanad granted to Prem Partab Singh—

(a) prohibiting his heirs to render assistance or support to Mahendra Partab Singh either pecuniarily or otherwise in any manner whatsoever, or

(b) in so far as they prohibit his heirs to alienate any property referred to in the Sanad to Mahendra Partab Singh without the sanction of the Government,

shall cease to have any effect.

Explanation.—In this section, "Sanad" means the Sanad, dated the 7th day of September, 1924 granted to Prem Partab Singh in pursuance of the Act repealed by section 2.

Simla-2, the 22nd January, 1968

No. 8-1/67-LR.—The following Acts recently passed by the Parliament and already published in the Gazette of India Extraordinary Part II, Section I, are hereby republished in the Himachal Pradesh Rajpatra for the information of general public.

1. The Cotton Fabrics (Additional Excise Duty) (Repeal) Act, 1967 (26 of 1967).

2. Taxation Laws (Amendment) Act, 1967 (27 of 1967).

JOSEPH DINA NATH,
Under Secretary (Judicial).

ASSENTED TO ON 31-12-1967.

THE COTTON FABRICS (ADDITIONAL EXCISE
DUTY) (REPEAL) ACT, 1967

(ACT No. 25 of 1967)

AN
ACT

to provide for the repeal of the Cotton Fabrics (Additional Excise Duty) Act, 1957.

Be it enacted by Parliament in the Eighteenth Year of the Republic of India as follows:—

1. *Short title.*—This Act may be called the Cotton Fabrics (Additional Excise Duty) (Repeal) Act, 1967.

2. *Repeal of Act 33 of 1957.*—The Cotton Fabrics (Additional Excise Duty) Act, 1957 is hereby repealed.

ASSENTED TO ON 15-12-1967.

THE TAXATION LAWS (AMENDMENT) ACT, 1967

(ACT NO. 27 OF 1967)

AN
ACT

further to amend the *Wealth-tax Act, 1957*, the *Gift-tax Act, 1958*, and the *Income-tax Act, 1961*, and to amend the *Finance (No. 2) Act, 1967*.

BE it enacted by Parliament in the Eighteenth Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Taxation Laws (Amendment) Act, 1967.

(2) It shall be deemed to have come into force on the 1st day of October, 1967, except that section 5 shall be deemed to have come into force on the 14th day of September, 1967.

2. *Amendment of Act 27 of 1957.*—In the *Wealth-tax Act, 1957*, in sections 31 and 34A, for the words “six per cent”, the words “nine per cent”, shall be substituted.

3. *Amendment of Act 18 of 1958.*—In the *Gift-tax Act, 1958*, in sections 32 and 33A, for the words “six per cent”, the words “nine per cent”, shall be substituted.

4. *Amendment of Act 43 of 1961.*—In the *Income-tax Act, 1961*,—

(i) in section 37, after sub-section (2), the following sub-section shall be inserted, namely:—

“2A Notwithstanding anything contained in sub-section (1) or sub-section (2), no allowance shall be made in respect of so much of the expenditure in the nature of entertainment expenditure incurred by any assessee during any previous year which expires after the 30th day of September, 1967, as is in excess of the aggregate amount computed as hereunder:—

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|---|--|
| (i) on the first Rs. 10,00,000 of the profits and gains of the business or profession (computed before making any allowance under section 33 or section 33A or in respect of entertainment expenditure) | at the rate of 1/2 per cent or Rs. 5,000, whichever is higher; |
| (ii) on the next Rs. 40,00,000 of the profits and gains of the business or profession (computed in the manner aforesaid) | at the rate of 1/4 per cent; |
| (iii) on the next Rs. 1,20,00,000 of the profits and gains of the business or profession (computed in the manner aforesaid) | at the rate of 1/8 per cent; |
| (iv) on the balance of the profits and gains of the business or profession (computed in the manner aforesaid); | nil. |

Provided that where the previous year of any assessee falls partly before and partly after the 30th day of September, 1967, the allowance in respect of such expenditure incurred during the previous year shall not exceed

(a) in the case of a company

(i) in respect of such expenditure incurred before the 1st day of October, 1967, the sum which bears to the aggregate amount computed at the rate or rates specified in sub-section (2), the same proportion as the number of days

comprised in the period commencing on the first day of such previous year and ending with the 30th day of September, 1967, bears to the total number of days in the previous year;

(ii) in respect of such expenditure incurred after the 30th day of September, 1967, the sum which bears to the aggregate amount computed at the rate or rates specified in this sub-section, the same proportion as the number of days comprised in the period commencing on the 1st day of October, 1967, and ending with the last day of the previous year bears to the total number of days in the previous year;

(b) in any other case—

(i) in respect of such expenditure incurred before the 1st day of October, 1967, the amount admissible under sub-section (1);

(ii) in respect of such expenditure incurred after the 30th day of September, 1967, the sum which bears to the aggregate amount computed at the rate or rates specified in this sub-section, the same proportion as the number of days comprised in the period commencing on the 1st day of October, 1967, and ending with the last day of the previous year bears to the total number of days in the previous year.”;

(ii) in sections 132A, 139, 201, 213 to 217, 220, 243 and 244, for the words “six per cent.”, the words “nine per cent.” shall be substituted;

(iii) in section 28CX,—

(a) in sub-section (1), clause (b) of the proviso shall be omitted;

(b) for the *Explanation*, the following *Explanation* shall be substituted, namely:—

‘*Explanation.*—(i) In this section, the expression “annuity deposit required to be made” shall mean the amount of annuity deposit calculated on the adjusted total income of the depositor at the rate or rates specified in the Finance Act of the relevant year, but where the amount so calculated exceeds the amount computed in the manner specified in clause (ii) of this *Explanation* (the amount so computed being hereinafter referred to as the specified amount), then, the annuity deposit required to be made shall mean the specified amount.

(ii) The specified amount referred to in clause (i) of this *Explanation* shall be—

(a) in a case where the total income (as computed without making any allowance under section 280O) exceeds fifteen thousand rupees but does not exceed twenty thousand rupees, an amount equal to one per cent of the adjusted total income of the depositor;

(b) in a case where the total income (computed in the manner aforesaid) exceeds twenty thousand rupees but does not exceed twenty-five thousand rupees, an amount equal to—

(1) the aggregate of the sum calculated at one per cent on so much of the adjusted total income as does not exceed twenty thousand rupees and the sum by which the total income (computed in the

manner aforesaid) exceeds twenty thousand rupees, or

(2) one and a half per cent, of the adjusted total income of the depositor, which ever is less;

(c) in a case where the total income (computed in the manner aforesaid) exceeds twenty-five thousand rupees, an amount equal to the aggregate of the sum calculated at one and a half per cent on so much of the adjusted total income as does not exceed twenty-five thousand rupees and the sum by which the total income (computed in the manner aforesaid) exceeds twenty-five thousand rupees.

5. Amendment of Act 20 of 1967.—In the Finance (No. 2) Act, 1967,—

(i) in section 3, for sub-section (1), the following sub-section shall be, and shall be deemed always to have been, substituted, namely:—

“(1) Save as otherwise provided in Chapter XXIIA of the Income-tax Act, annuity deposit shall be made by every person to whom the provisions of that Chapter apply—

(a) for the assessment year commencing on the 1st day of April, 1967, at the rate or rates specified in Part I of the Second Schedule; and

(b) during the financial year commencing on the 1st day of April, 1967 (in relation to the adjusted total income of the previous year relevant to the assessment year commencing on the 1st day of April, 1968), at the rate or rates specified in Part II of the Second Schedule”;

(ii) for the second Schedule, the following Schedule shall be, and shall be deemed always to have been, substituted, namely:—

“THE SECOND SCHEDULE

(See section 3)

PART I

RATES OF ANNUITY DEPOSIT FOR THE ASSESSMENT YEAR 1967-68

(i) In the case of any depositor *Nil*.

whose total income does not exceed Rs. 15,000.

(ii) In the case of any depositor 5 per cent of the whose total income exceeds adjusted total Rs. 15,000 but does not income: exceed Rs. 20,000.

Provided that the annuity deposit to be made shall in no case exceed half the amount by which the total income exceeds Rs. 15,000.

(iii) In the case of a depositor 7-1/2 per cent of the whose total income exceeds adjusted total Rs. 20,000 but does not income: exceed Rs. 40,000.

Provided that the annuity deposit to be made shall in no case exceed the aggregate of the followings sums namely:—

(a) an amount calculated at five per cent on much of the adjusted total income as does not exceed Rs. 20,000;

(b) one-half of the amount by which the total income exceeds Rs. 20,000.

(iv) In the case of a depositor 10 per cent of the whose total income exceeds adjusted total

Rs. 40,000 but does not income: exceed Rs. 70,000

Provided that the annuity deposit to be made shall in no case exceed the aggregate of the following sums, namely:—

(a) an amount calculated at seven and a half per cent on so much of the adjusted total income as does not exceed Rs. 40,000;

(b) one-half of the amount by which the total income exceeds Rs. 40,000.

(v) In the case of a depositor 12-1/2 per cent of whose total income exceeds the adjusted total Rs. 70,000 income:

Provided that the annuity deposit to be made shall in no case exceed the aggregate of the following sums, namely:—

(a) an amount calculated at ten per cent. on so much of the adjusted total income as does not exceed Rs. 70,000;

(b) one-half of the amount by which the total income exceeds Rs. 70,000.

PART II

RATES OF ANNUITY DEPOSIT TO BE MADE DURING THE FINANCIAL YEAR 1967-68

(i) In the case of any depositor *Nil*.

whose total income does not exceed Rs. 15,000

(ii) In the case of any depositor 6 per cent of the whose total income exceeds adjusted total Rs. 15,000 but does not income: exceed Rs. 20,000

Provided that the annuity deposit to be made shall in no case exceed half the amount by which the total income exceeds Rs. 15,000.

(iii) In the case of a depositor 9 per cent of the whose total income exceeds adjusted total Rs. 20,000 but does not income: exceed Rs. 40,000

Provided that the annuity deposit to be made shall in no case exceed the aggregate of the following sums, namely:—

(a) an amount calculated at six per cent on so much of the adjusted total income as does not exceeds Rs. 20,000;

(b) one-half of the amount by which the total income exceeds Rs. 20,000.

(iv) In the case of a depositor 12 per cent of the whose total income exceeds adjusted total Rs. 40,000 but does not income: exceed Rs. 70,000.

Provided that the annuity deposit to be made shall in no case exceed the aggregate of the following sums, namely:—

(a) an amount calculated at nine per cent on so much of the adjusted total income as does not exceed Rs. 40,000;

(b) one-half of the amount by which the total income exceeds Rs. 40,000.

(v) In the case of a depositor 15 per cent of the whose total income exceeds adjusted total Rs. 70,000 income:

Provided that the annuity deposit to be made shall in no case exceed the aggregate of the following sums, namely:—

(a) an amount calculated at twelve per cent on so

much of the adjusted total income as does not exceed Rs. 70,000;

- (b) one-half of the amount by which the total income exceeds Rs. 70,000.

Explanation.—In this Schedule, "total income" means total income computed in the manner laid down in Income-tax Act without making any allowance under section 280O of that Act.

6. *Repeal and saving.*—(1) The Taxation Laws (Amendment) Ordinance, 1967 (5 of 1967), is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under any provision of the said Ordinance shall be deemed to have been done or taken under the corresponding provision of this Act as if such provision was in force on the date on which such thing was done or action taken.

भाग 7—भारतीय निर्वाचन आयोग (Election Commission of India) की बंधानिक अधिसूचनाएं तथा अन्य निर्वाचन सम्बन्धी अधिसूचनाएं

शून्य

अनुपूरक

शून्य